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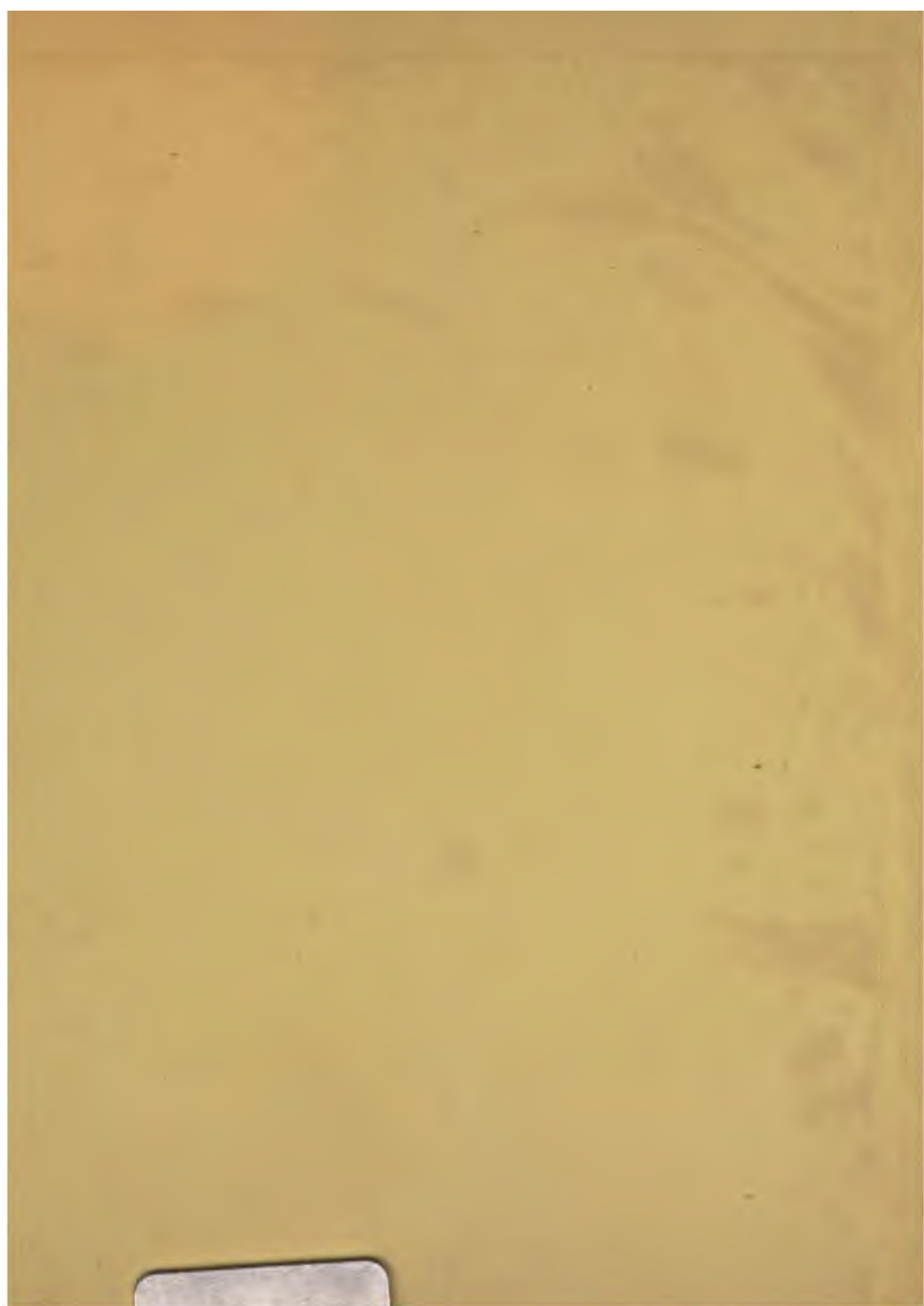
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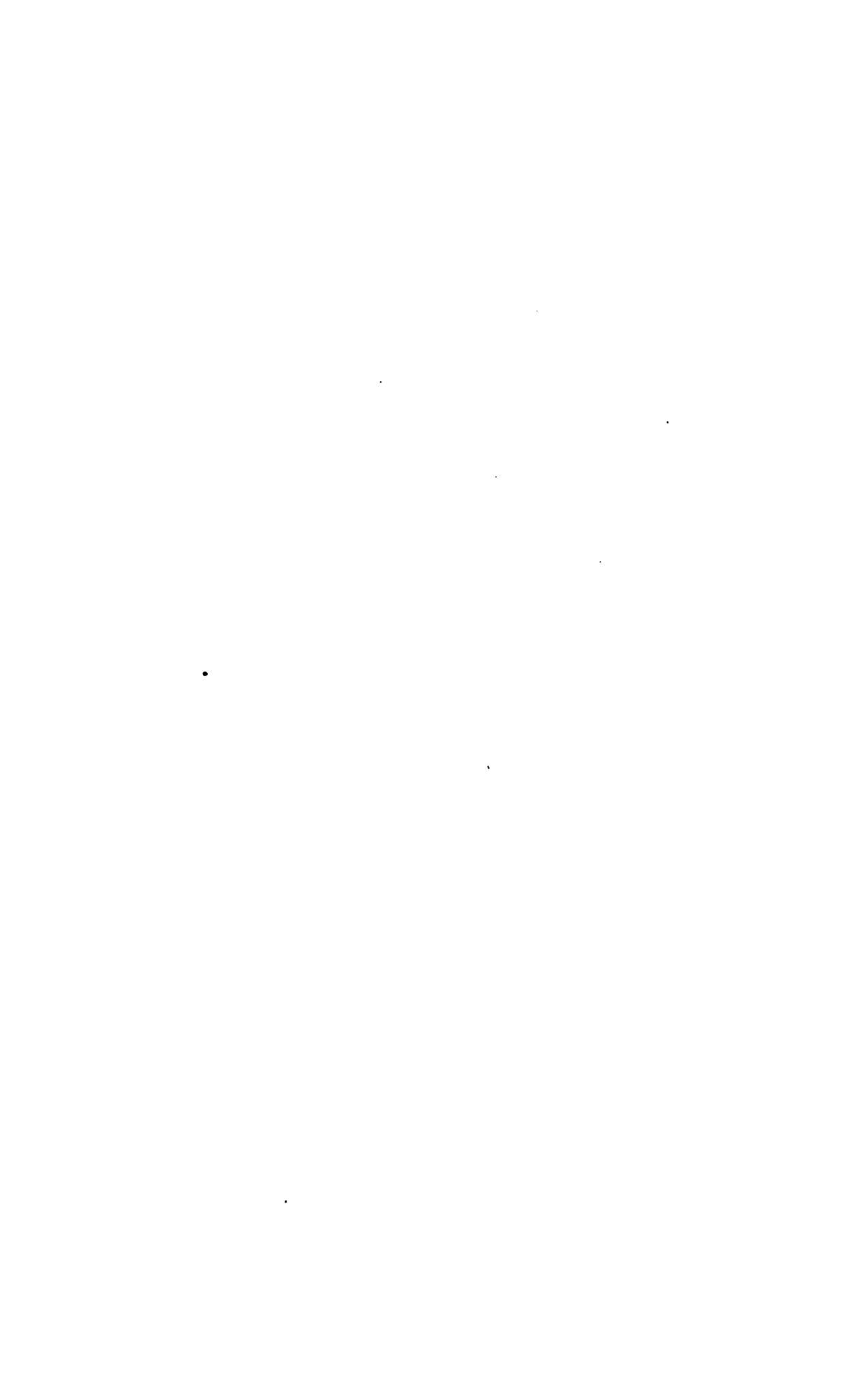
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NOTES
OF THE
TREATY CARRIED ON AT RIPON
BETWEEN KING CHARLES I.
AND THE COVENANTERS OF SCOTLAND,

A.D. 1640,

TAKEN BY SIR JOHN BOROUGH, GARTER KING OF ARMS.

EDITED, FROM THE ORIGINAL MS.
IN THE POSSESSION OF LIEUTENANT-COLONEL CAREW,

BY

JOHN BRUCE, ESQ., F.S.A.,

DIRECTOR OF THE CAMDEN SOCIETY.



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PREFACE.

THE present volume contains new materials for the history of a very important transaction in the reign of Charles I.—materials which, with others of a similar kind, have recently and very unexpectedly come to light. The manner and the place of their discovery shall be stated in the sequel; we will first show what is the special historical position which the notes now published occupy.

The different ways in which the ecclesiastical innovations of the time of Charles I. were met by the people of England and by those of Scotland were eminently characteristic of the two nations.

In England, by a course of gradual retrogression, the very face of religion was altered. The churches resumed many of the ornaments of the ante-Reformation period; divine service was rendered more stately and ceremonial; the clergy obtained for themselves and for their altars the honours of a revived sacerdotalism, and were gradually proceeding to the practice of the usages which spring out of a belief in that system of Christianity. In the meantime, throughout all these innovations, the people, with the exception of some few extremely zealous persons, remained quiet and submissive. On the slightest indication of opposition the High Commission Court and other compliant tribunals were called into operation, and by the unsparing use of measures of repression the Elizabethan Church of England, which then first began to be termed Puritanism,^a was effectually silenced. The only appeals to the people, which it

^a “ We must not forget that Spalatro (I am confident I am not mistaken therein) was the first who, professing himself a Protestant, used the word Puritan to signify the defenders of matters doctrinal in the English Church. Formerly the word was only taken to denote such as dissented from the hierarchy in discipline and church government; which now was extended to brand such as were anti-Arminians in

could not be hindered from making, were those which sounded across the sea from the earnest men who had been driven into other countries, and those which came from fortresses in the Channel Islands, in which sufferers looked upon as martyrs were incarcerated.

In Scotland the *perferidum ingenium* exhibited itself in striking contrast to the phlegmatic coolness of Englishmen. The novelties suited, as their introducers thought, to the ecclesiastical condition of that country were received with indignant clamour. Popular uproar followed, and in short time the whole country exhibited a determination to resist even by force of arms.

In both countries the measures adopted outraged the deepest feelings of the people. The great majority of Englishmen believed that the dignity of their country was inseparably linked with the maintenance of Protestantism. They looked back with affection to the days of Queen Elizabeth, when England held forth a friendly hand to all who maintained the doctrines of the Reformation, and made herself known throughout the world as a head and centre of everything that was opposed to Rome. To the calmest of such persons the changes introduced by Archbishop Laud seemed full of danger, to the more earnest they were in the highest degree odious.

The affection of Scotland for Protestantism and for its own form of ecclesiastical government had been too frequently exhibited to be a subject of doubt; but over and above all theological considerations, these changes were an affront to that strong feeling which has ever existed in all Scottish minds,—a love of national independence. The religious forms, on the reception of which the question in Scotland turned, had never been submitted to any deliberative assembly in

their judgments. As Spalatro first abused the word in this sense, so we could wish he had carried it away with him in his return to Rome. Whereas now, leaving the word behind him in this extensive signification thereof, it hath since by others been improved to asperse the most orthodox in doctrine and religious in conversation.”—*Fuller's Church Hist.* book x. sec. 19.

that country. They were imposed by the mere mandate of the sovereign; they came from England; they were settled in England; they were in substantial accordance with English models; they were avowedly intended to bring Scotland into uniformity with the religious system of England,—and what was that? Under Archbishop Laud it seemed, according to Scottish notions, to be a mere hurrying back towards Rome.

In England, besides the religious grievance, there existed others no less considerable in the estimation of the people of the South than the question of the Liturgy was amongst those of the North. For centuries it had been a belief rooted in the very nature of every Englishman, that no taxes could be levied upon him without his own previous consent, given through his representatives in Parliament. This principle, solemnly confirmed by the present King in 1628, was now deliberately violated by the enforced levy of ship-money, under the authority of precedents palpably misapplied, and upon pretence of a national necessity which obviously did not exist. Even ship-money was borne with for a considerable time. The people still looked forward to the national remedy for all political evils, a Parliament. But so long as quiet times continued, the ship-money, annually levied, rendered the King independent of Parliamentary supplies, for which alone he ever appealed to the representatives of the people. Twelve years passed away without "that noise," as Parliamentary discussion was termed by Archbishop Laud, being heard. In the absence of a Parliament, a man of wealth and patriotism brought the question of ship-money into the courts of law. He deliberately contested with his sovereign in his own courts the legality of his acts. A majority of the judges yielded to the pressure of the Court. The tax was declared valid. Court, Church, and Law combined to overthrow the ancient liberties of the country. The few who resisted were crushed by the strong hand of power, and the people almost ceased to dream of seeing a Parliament again, during the life of the present sovereign.

The sudden collapse of this system of government, at the time

when it was everywhere triumphant, is one of the most singular incidents in our history. It disappeared like a snow-house on the return of spring.

The brief campaign between the Covenanters and Charles I. in 1639 has been largely illustrated in a former volume of the Camden Series. Papers derived from the collections of Sir Harry Verney told, in that volume, the miserable story of the Pacification at Dunse Law, often referred to in the notes now published. When the King found that the results of the General Assembly and Parliament of Scotland, stipulated by the Pacification to be called, were altogether in favour of the Covenanters, he refused to confirm them. A warlike effort of a far more serious character than the last was determined upon. England was to compel the Scots to restore their Bishops and to submit to a religious uniformity with her sister kingdom. But how was this to be accomplished? "The summer's action," as Clarendon terms it, had exhausted not merely all the balances in the Exchequer, but all the money that could be procured by anticipation of future revenue, "so that, though the raising an army was visibly necessary"—necessary, that is, for the King's purposes—"there appeared no means" how it might be raised. There remained, indeed, one resource which had been untried,—a Parliament. A Parliament could grant a supply; but would it be likely to do so for such a purpose, or without previous redress of grievances? The King and his advisers, building mainly upon the indignation which it was thought would be excited by a letter deemed treasonable, which the Covenanters had addressed to the King of France, thought it would, and "that it might appear"—we quote again from Clarendon—"that the Court was not at all apprehensive of what the Parliament would or could do, and that it was convened by His Majesty's grace and inclination, not by any motive of necessity, it proceeded in all respects in the same unpopular ways it had done: ship-money was levied with the same severity; and the same rigour used in ecclesiastical courts, without the least compliance with the humour of any man; which was great steadiness,

and, if it were then well pursued, it degenerated too soon afterwards."^a

The result is well known. The very thought of the meeting of a Parliament drove the people half wild with joy. It "made them," remarks May the historian, "almost amazed: so strange a thing was the name of a Parliament grown."^b At the elections there was great striving on both sides. Of the members returned, "much the greatest part," says Clarendon, "had never before sat in Parliament;" and so eager were they, or so ignorant, that, disregarding the leisurely customs of their predecessors, they plunged at once into business. Pym "brake the ice," and a multitude instantly followed him. As soon as they began to consider grievances, and to evince their intention to do the work for which they had been sent to Westminster, the King discovered his mistake, and dismissed them.

The question, then, still remained unsolved—How was the money to be obtained to raise an army? The failure of the Short Parliament had increased the difficulty, by disappointing and incensing the people. They who for twelve years had submitted in peace to the government of the Council might, if the custom had not been interrupted, have borne with it a little longer. The calling and dismissal of the Parliament put new thoughts into their minds. The situation was further complicated by the clergy. The Archbishop procured a Royal authority for the Convocation to prolong its sitting, notwithstanding the dissolution of the Parliament. The clergy held their meetings in Westminster Abbey, under the protection of a military guard, furnished by the King as a shelter against the anger of the people, and thus defended they granted a supply, enacted canons, and framed the celebrated oath which was to be a bulwark to the Church of England for ever.

Undeterred by any difficulties, the King proceeded, with that "great steadiness" which has been before alluded to. The Earl of Northumberland had been appointed general-in-chief, and Lord Conway commander of the horse. An army of 20,000 foot and

^a Hist. Rebell. p. 53, ed. 1843.

^b Hist. Long Parl. p. 3, ed. 1813.

2,000 horse was to invade Scotland by Berwick; Carlisle was to be fortified and garrisoned; an Irish army of 10,000 foot and 1,500 horse was to be landed at Ayr; a third army of 10,000 foot and 500 horse was to be sent into the north of Scotland; a fleet was to be despatched to the Firth of Forth, and all communication between Scotland and the Continent was to be intercepted by English cruisers.^a Such was the scheme by which the *Bellum Episcopale* was to accomplish its ends, and "all the wheels of the prerogative," as Whitelocke phrases it, "were set in motion to provide money."^b

In the meantime, the Scots were not behindhand in their preparations. Under the direction of their little crook-backed general, who had been bred up in the school of Gustavus Adolphus, their army was gradually trained and disciplined, in small numbers and in several places.^c Intelligence of the designs formed against them in England was easily obtained from a court in which "many of the best quality attending His Majesty" had "fathers and mothers, wives and children, brothers, sisters, allies, and friends," in Scotland.^d Besides which, the campaign of 1639 had brought the dissatisfied of both countries into acquaintance with one another. The Scots were made aware that Englishmen, quiescent, and even acquiescent, as they seemed, had grievances as well and as great as their northern neighbours; and if a common plan of operations was not actually settled between the heads of the two parties, of which there is no evidence, it can scarcely be doubted that there was an understanding between them, and that the Scots were encouraged by assurances of sympathy, if not by promises of actual support.

The intentions of the Covenanters were as well known at Court as those of the King in Edinburgh. It soon began to be whispered abroad that it was their design not again to confine themselves to the Scottish borders, but to make an invasion of the territory of their wealthier neighbours. The Government laid a great stress on

^a Lord Hailes's Mem. of Charles I. p. 81. Clarendon's State Papers, ii. p. 99.

^b Memorials, p. 35, ed. 1732.

^c Hailes's Mem. p. 91.

^d Ibid.

the word "invasion." It sought to rouse the spirit of England against the perpetrators of such an insolence and injustice as to put hostile foot upon the soil of a country which had nothing to do with the cause of quarrel. It is difficult to see how such an intention could be justly blamed. If England had no interest in the quarrel, why these schemes for raising hostile English armies which were to penetrate into Scotland at various points? If the King had sought to put down the opposition of his Scottish subjects only by Scottish means, the argument with reference to "invasion" might have had some validity; but such was the unanimity of the Scottish people that a royal party can scarcely be said to have had any existence in that country. The King would not have been able to have made any stand at all against the Covenanters save for his abuse of his position as King of England, by which he dragged this country into his Scottish quarrel. If England permitted the abuse, she had no right to complain of the result. As a point of military policy, there was clearly no better course for the Scottish general than to remove the war from the poorer country into the wealthier—from the then barren and rugged moors of the Scottish border, into the cultivated lands of Northumberland and Durham, with their farms, their coal-fields, and their valuable export trade. But to enable him to do so he must have not a mere rabble of soldiery, but a force rendered formidable by discipline, as well as by numbers and by enthusiasm. To create such a force was the first object of General Lesley.

It has been said that the Scots would not have dreamed of the invasion of England but for the encouragement given them by a forged letter of invitation, purporting to be signed by the leaders of the malcontent party, and pledging that party to give the Scots active and open support if they would but cross the Border. If the forged letter was ever written—which it probably was—certainly the idea of invading England was not thereby originated. So natural and likely was invasion considered, even from the first appeal to arms, that as early as 1638 guns were removed from Harwich and the

castles in the Downs, for the fortification of Berwick, Carlisle, and other places on the English border, in anticipation of such a result.*

But, during and hazardous as invasion was deemed, in truth it was neither. Nor did it need any other encouragement than that afforded by a knowledge of the actual condition of England. What that condition really was, what the state of mind of the English people in 1640 towards the King, the Government, and the Scots, and with reference to the then passing public events, is a question of the deepest historical interest, but one which requires for its proper answer freer scope and a wider canvas than can be obtained in such an introduction as the present. But the Treaty of Ripon cannot be understood without some knowledge upon this subject far different from that which can be acquired from the ordinary authorities. We will bring together some notes derived from unpublished State Papers in the Public Record Office, now in process of arrangement and calendaring, which will enable the reader to form some idea of the actual truth.

The Short Parliament, as it was termed, was dissolved in anger on the 5th of May, 1640.

1640.
May 5. The Earl of Northumberland to Lord Conway, at Newcastle. Alnwick, Morpeth, and Hexham have been suggested by the Deputy-Lieutenant as proper places for military stations in Northumberland. "If we be put to a defensive war, the fortifying some of those places will be fit to be considered, but we are going upon a conquest with such a power that nothing in that kingdom will be able to resist us." In the same letter he adds, "The men were appointed to march towards the general rendezvous in the North, from the several counties where they were raised, upon the 20th of this month, but that is now altered, and they are not to stir until the 10th of June. Scotland is no good country to make a winter war in."
- May 6. The Earl of Northumberland to Lord Conway. "Now that the Parliament hath failed in supplying the King, we are going about to find other means whereby the charge of this army may be defrayed."
- May 7. Sec. Windebank to Lord Conway. "It is well there is so little apprehension there

* Calendar of Domestic State Papers, 1637-8, pp. 584, 601.

of the Scots' preparations, and that the forces of that nation are no more considerable. If they were able to do us mischief, they have too much encouragement by the unhappy rupture of the Parliament, who have clearly discovered they like their courses so well as they would contribute nothing to their suppression. Howsoever, the King's offer to them to abolish the shipping business, and to give them time, by continuing the Parliament, for their grievances, hath left them inexcusable, and will justify His Majesty to God and the world that he hath omitted nothing on his part whereby a better intelligence might have been settled between him and his people. As the case now is, His Majesty must resort to other counsels and ways for preservation of the monarchy, which if they become more burdensome to them, they may thank themselves. Certainly His Majesty will not be diverted from his first design of pursuing vigorously the war, notwithstanding all these oppositions and impediments cast in by his ill-affected and refractory subjects, and if he should, he must run extreme hazard of his honour and safety, both at home and abroad. But how to compass it is now the great consultation."

The schemes for raising money were principally the following:

1. A forced loan from the Citizens of London. The Lord Mayor and Aldermen were summoned before the council and ordered to supply lists of the moneyed people in every ward, with the sum that it was thought every man could contribute towards raising a total of £200,000. The city authorities refused to furnish the required lists, as being contrary to custom. A great hubbub ensued. Four of the Aldermen were committed to prison, and the Attorney-General was put in requisition against them, but the scheme was found to be too dangerous, and was ultimately dropped.
2. A forced loan from all peers and distinguished persons, especially from those who were in the King's service or were at all connected with the Court. This was begun before the calling of the Short Parliament, and was vigorously carried out. It produced a considerable sum.
3. An advance of money by the farmers of the customs. After considerable discussion it was found that the farmers had already prepaid as much as they could be persuaded to do.
4. A scheme for raising money by debasing the silver coinage, the new coinage to contain one-fourth silver and three-fourths copper. This was in great favour for a considerable time. All necessary preparations were made for carrying it out. The city and the great commercial corporations

protested against it most vigorously, and demonstrated its ruinous effects before the council. The proposal was then made to the Lord Mayor and Aldermen, that, if the city would advance the King the money he wanted, he would pledge his Royal word never during his reign to entertain such a scheme again. The citizens answered that they had no power to levy the sum required. The King still favoured the debasement, but the council was staggered by the strength of the opposition. The proposal was postponed, but remained under consideration till the last. 5. A separate subscription from English Roman Catholics, who were urged to liberality by a letter specially directed to them by the Queen. This subscription was under the management of a committee which comprised Sir Kenelm Digby, Walter Montague, Sir John Winter the Queen's Secretary, and others of the leading Roman Catholics. They held their meetings at the house of Signor Con, the Papal resident in London, and took advantage of his acquaintance and influence with the Roman Catholics, both official and personal, to communicate with their co-religionists and to stimulate their exertions. Nothing could be more unfortunate. The special interference of Roman Catholics, and more especially that of the Papal agent, in a matter which primarily related to a dispute in a Protestant church, strengthened the suspicion of inclinations Romeward in the King, which too many people were willing to entertain.

Foiled in so many of these projects, the forced loans and all ordinary and extraordinary sources of revenue which were under the control of the council, or of its separate members, were urged with most vehement stringency. Ship-money, and coat and conduct money (by the latter of which the levy, clothing and maintenance of the troops until they joined the main army at the general rendezvous were thrown upon the counties), were pressed by all the means which official ingenuity could devise. The following notes will show with what results:—

MAY 5.
Beverley.

Commissary Wilmot to Lord Conway. Disturbances, mutiny, and daily disorders amongst the troops [horse] in the North. Beseeches Lord Conway "to hasten the

provost marshal, with orders for the government of the horse to be read, for I assure myself the very sight of them will terrify much."

- May 6. By letters of 26th March every Lord Lieutenant had been directed to levy a certain number of men to meet weekly in companies of 100, to be exercised by officers sent down by the lord general, until the 20th May, when they were to be brought to a general county rendezvous, where they were to be exercised until the 1st June. Instead of that order, it was now directed that they were to be exercised every week at their particular places of rendezvous until that day, and were then to repair to the general county rendezvous, and remain there at the charge of the county till the 10th June, from which day they were to enter into the King's pay, and either to march, as already directed, overland to Newcastle, or to some port—as Gravesend or Yarmouth—whence they were to be shipped.
- May 6. [London.] Hugh Pollard to Lord Conway. "The great distraction which is here now, by reason of the dissolution of the Parliament and the general despair of seeing it better I dare not adventure to relate."
- May 7. The Attorney-General ordered to send for the Sheriffs of London and Middlesex, York, Berks, Surrey, Leicester, Essex, and Northampton, and examine them concerning their performance of the service of ship-money.
- May 8. Sheriff of co. Hereford (Thomas Alderne) committed to the Gate-house touching the collection of ship-money.
- May 8. Sir Henry Bellasis and Sir John Hotham, having made undutiful and indirect answers to His Majesty, being then present in council, they were committed to the Fleet.
- May 9. Sir William Douglas of Cavers was examined by Secretary Windebank with respect to conference with any of the Lower House of Parliament. Denies that he had had any such conference, saving that he met, in the Playhouse in the Cockpit in Drury Lane, with Sir William Widdrington and Sir William Carnaby, but he did nothing but salute them.
- May 10. Thomas Crewe committed for refusing (being Chairman of the Committee of Religion in the late Parliament) to obey the commands of His Majesty and the Lords therein.
- May 11. Deputy-Lieutenants of Kent to the Earl of Pembroke and Montgomery, Lord Lieutenant. Their men, being principally yeomen and farmers, refused, some to go beyond their colours [*i. e.* into other counties], and others to go into Scotland; exclaiming, "Take one, take all," they fell out of rank and file, and went into disorder not to be reduced by the command of their officers.
- May 12. Deputy-Lieutenants of Hants to the Council. "Divers places we find altogether Tichborne.

averse to the coat and conduct money, but more especially the whole hundred of Odiham, together with the town of Alton, and most part of the hundred of Alton, who wholly refuse to pay anything alleging for their reason that many of their hundreds have heretofore refused to pay the ship-money, and nothing has been done unto them by way of example, and they hope they may as well escape for this."

- May 13. Complaint of murmurs, discontent, and outrages on the part of the 750 men raised in Norfolk, and the great averseness and refusal to pay towards coating and conduct money, with the loathing of the men to be transported by sea on account of the hardships, miseries, and deaths of those that went last year.
- May 18. Examination of Thomas Alderne, sheriff of co. Hereford. "Upon notice of the late Parliament many of the chief constables refused to levy the ship-money, or come before the examinant."
- May 21. Lords Warwick and Maynard, Lord Lieutenants of Essex, to the Earl of Northumberland. "For the coat and conduct-money. Whereas our Deputy Lieutenants have made a rate for levy of £2,400 for those services, and have used their best diligence and endeavours to get in that money, yet they have lately certified us that of all that money they have only received £540, and are in despair of getting any more."
- May 21. Earl of Exeter, Lord Lieutenant of co. Northampton, to Earl of Northumberland. "The East division is willing to pay coat and conduct-money. The West division doth almost generally refuse to pay (for which a great many are sent for by order from the Board), and all the 275 soldiers utterly refuse either to be disciplined by or to go with any other commanders than those of the trained bands there."
- May 21. Deputy-Lieutenants of co. Lincoln to the Lord Lieutenant. Great difficulties in Lincolnshire and neglect of constables to do their duty. At Spalding the inhabitants would not contribute anything towards the maintenance of the soldiers and warrants against the refusers were not attended to, and when with much ado and gentle means the proportion of men for Kesteven and Holland were levied and got to Sleaford, "they daily run away notwithstanding Hue and Cry sent after them, and a publication of martial law to them. . . . They are so seditious and mutinous, that unless some example be made, when we have done all we can, we shall be but unprofitable servants and gain His Majesty's displeasure."
- May 22. Sir Thomas Grymes to Mr. Harmon at Arundel House. "The money rated on the Peckham. borough of Southwark and the hundred of Brixton, for coat and conduct-money, should have been paid to me on Tuesday last, but I have not yet received one penny thereof. I delivered on Monday last a certificate to the council, how all the borough generally refused to make assessment for raising the money they were charged with

what their lordships have done therein I know not. And as for the hundred of Brixton, I understand, two or three of the parishes have made assessment, but most refuse to pay; and for the rest of the hundred, they follow the example of the borough, and will make no assessment at all."

- May 22. Deputy-Lieutenant of Surrey to Mr. Harmon. The money laid upon the five hundreds of the West division of Surrey was appointed to be paid at Guildford on Saturday last, but I received a letter on Wednesday last, from Sir Richard Onslow, that of £600 there was but £5 paid; and that they did in some places refuse to make any rates at all, and in other places pretended a general decay of trading and want of money, whereby they were disabled to pay and for pressing of the soldiers we thought it not fit till the money were raised, for the preventing of any outrages."
- May 23. Return for Hants. "Men all pressed, but till the moneys be collected for their coat and conduct they cannot with security be brought together The money . . . was £2,500 . . . and warrants made out for bringing it in by the 12th inst. Of which sum there is not yet paid in above £300 The constables' returns are that men answer they will pay when they have it."
- May 26. Secretary Windebank to Lord Conway. "There is little news here of moment, only the day of the rendezvous is again put off from the 1st of June till the 1st of July, and we are using all the means we can to raise moneys against that time. We have yet no more disorders in or about the city, though more are daily threatened by dangerous and desperate libels scattered and set up in the town and suburbs."
- May 28. Robert Holte, Sheriff of co. Lancaster to the Council. "By reason that the county of Lancaster had formerly paid ship-money, and as they pretended were much weakened and disabled thereby, and other counties had refused to pay the same, and for that the same had been lately questioned whether of right it ought to be paid or not, and the writs for Parliament issuing forth shortly after the said writ for ship-money, they made a stay in the proceeding (the county in general bending themselves against it, the inhabitants in every township refusing to assist or join with the constables in the assessments, and the constables alleging they were not able, nor could make the assessments of themselves). I still endeavoured to put on the business, and to have procured the assessments to have been made in all the hundreds, and to have had the money levied, but could not prevail in it; yet with much ado in several parts of three hundreds, have levied so much as in the whole doth amount to the sum of £1,319 3s. And for two of the greatest hundreds within this county, that is to say, Amounderness and Lonsdale hundreds, they altogether stand out, and will neither assess nor pay the money Only the town of Liverpool hath paid the other towns still trifle and delay."
- May 28. Thomas Windham to the Council. "Upon the uttermost endeavours there hath been collected of the ship-money only £1,100; by incessant travail and pains, and
Felbrigg.

with unexpressible difficulty, it has been raised by distresses, of which few buyers have been found near at hand. No more conformity, in regard of men's general averseness and retention, is to be expected in this country, where there is, indeed, a general damp of industry and commerce, with a despicable (*sic*) ebb and depression of the price of their commodities."

- May 30. John Gore, Sheriff of co. Hertford, to Nicholas. "The money I have received is so invaluable a sum that I have forborne as yet to pay it in, and am heartily sorry that I cannot better advance His Majesty's service. The reasons are, the country is generally averse to the payment of it; the officers, constables, and others refuse to do their services as formerly they have done upon the like occasion. The assessments upon the inhabitants of the several parishes I can by no means procure, without which I cannot distraint; neither do I know how to make them myself, being altogether ignorant of the persons, names, and estates of the inhabitants far distant from me. There are very few that will pay without they be distrained, and the distresses which I have taken I know not how to dispose of, in regard they do not redeem them, neither can I sell."
- June 3. Charles Trevanion, Deputy-Lieutenant of Cornwall, to the Lord Lieutenant. In consequence of the absence of the Deputy-Lieutenant not a man yet pressed, and only £430 realised for coat and conduct money. The constables of the hundreds of the Eastern division say that they can get no money, and those of the Western division very little.
- June 5. John Agarde, Sheriff of co. Derby, to the Council. "I find such opposition and evil-affectedness in the greatest part of the county, that since the dissolution of the last Parliament they do not forbear to dare me and bid me distraint at my peril, giving forth threatening words against me."
- June 8. Lord Conway to Secretary Windebank. "A report from the borders, of one that Newcastle. lives there, that the Scots have a design to take this town, hath put this place into a great fright, so that they now begin to think what is best for their defence. I will make the best use I can of it for the King's service, in making them fortify the town All the arms [supplied to the soldiers] are old and broken. They have endeavoured to make them serviceable, and sell them at as dear a rate as if they were new, and this is done that the King may gain so much money It is impossible to make the pistols for the most part at all serviceable."
- June 8. Deputy-Lieutenants of Suffolk to the Council. Notwithstanding the death of the Earl of Suffolk, they will do the best they can for the advancement of H.M. service, in delivering the men to such as are appointed to receive them. The difficulty that ariseth will be to make the number full, in respect there are many run away. "We have impressed the full number, coated and clothed them fit for service, and made out Hue and Cries for those that are run away, and will deliver them that remain to Lieut.-Colonel Fielding at the day appointed. There are many

all over the country that refuse to pay to this levy, and the soldiers are so mutinous that they refuse to obey us or their commanders now they are in hundreds; what they will do when they meet all together is to be feared we have now only the power of Justices of Peace, which will hardly be obeyed by such a rude multitude."

June 8. News Letter. The Deputy-Lieutenants of Wiltshire sent out their warrants for levying coat and conduct-money. Many paid their proportions, but some obstinate[ly] refusing they had committed to the gaol, these being of the train bands; whereupon some belonging to the train bands had tumultuously consorted together, and had forcibly broken open the prison doors and let forth those men again. . . . This disorder was at Marlborough. There was another disorder in the same county at Warminster, but that was of another strain. Captain Drury, that had my Lord Admiral's commission to command a company that were to be levied thereabouts, goes down to march with them to the rendezvous in the North. "They being all or most of them ready to march, these soldiers had some notice their captain was a Papist. None of the soldiers takes notice to their captain of it, but before they were to march they move it to their captain that they might all of them receive the Sacrament before they set out. The captain showing little inclination to that motion, at least for his own receiving, the soldiers pressed him so much the more to it, and when they perceived he would not, they told him plainly, That if so be he will not receive the Communion and pray with them, they will not fight under him; and in this manner they cashiered their captain."

June 12. Deputy-Lieutenants of Suffolk to the Council. Having been at Beccles to deliver the pressed men to Lieutenant-Colonel Fielding, and coming to Bungay on similar business, "the soldiers fell into a mutiny threatening our deaths, beset us in our chamber, kept a watch upon our horses, and waylaid us so as we were enforced to keep our chambers and they are as saucy with the officers as with us."

June 13. Earl of Northumberland to Lord Conway. Apprehensions of the Scots coming into England and having a design upon Newcastle. Letters sent to all the Northern counties to draw their trained bands together upon a short warning. Horse now about Hull shall to the north part of Yorkshire to be near at hand. Regiments on their way towards Selby; 3 or 4,000 of them to lodge in and about Newcastle. "I hope your Lordship's care and vigilance will keep that place from any danger by their attempts. The City of London, Kent, Surrey, Essex, Hertfordshire, Buckingham, and Bedfordshire are so damnably restive that I doubt we shall not get near our numbers of men from these places; the rest of the counties I hope will do reasonable well in raising their men."

June 14. Sir Michael Ernely, Lieutenant-Governor of Berwick. The Scots report they will be speedily in England; but as yet I am sure they have no considerable body of men together. They boast much of a strong party they shall find in England.

- June 15. John Winford, Sheriff of Worcestershire, to the Council. His servants and others, whom he employed about the ship-money, "find the whole country so averse and backward in the payment of the same, that as well the petty constables and other officers, as all others, are wholly opposing the service, wherein, under your Lordships' favour, I conceive myself utterly disabled to proceed." He details various cases in which his servants, having taken distresses, the same were immediately rescued by the people, men and women, who threatened all manner of violence against the distrainers.
- June 15. Lord Lieutenants of Essex to the Council. For the sixty draught horses to be sent to Newcastle at the charge of the country (it being a charge that was never before heard of in this county) we find our countrymen so averse unto that service, as we foresee a kind of impossibility of performing the same.
- June 15. Secretary Windebank to Lord Conway. The refractiveness of the Western and Southern counties, and more particularly that of the City of London, both in the shipping-money and in collecting the coat and conduct-money, will in all probability give encouragement to the rebels of Scotland to visit their companions in iniquity here, and in their passage to touch at Newcastle. Nevertheless, I hope we shall not be altogether unready to give them such a welcome as they deserve, and notwithstanding all oppositions His Majesty shall be furnished with moneys to go through with his great designs to his honor, and to their confusion and ruin. There is a way found to raise a considerable sum of money by the farmers of the customs, so that I hope His Majesty shall not want. This quickens our business, and now we advance in good earnest.
- June 16. Earl of Northumberland to Lord Conway. By a proclamation all officers are, within forty-eight hours, commanded away unto their charges, else I think some of them would have spent their summer as my Lord Wentworth did the last year. Our troops are upon their march from some of the counties; but I hear that they run so fast away that scarce half the numbers will appear at the rendezvous in the North.
- June 17. Deputy-Lieutenants of Somersetshire to the Lord Lieutenants. The pressed men were "so hard to be kept in quietness, because we could not satisfy them with so much money as they demanded for the time of their disbanding, that we much doubted what their unreasonable and unquiet spirits might draw them unto. Their commanders and ourselves were more obnoxious to their fury than any other; and had their number been complete, we fear it would have been much worse."
- June 18. George Purefoy to Lord Holland, Lord Lieutenant. Of the state of Faringdon in Berkshire, occasioned by 600 pressed men out of Dorsetshire. Upon the 17th inst. "they in a barbarous manner murdered Lieutenant Moone [Mohun] one of their company, and have threatened the rest of the commanders to put them to the sword, insomuch that they are all fled; and the soldiers being now at liberty, in probability will much endanger the town and the country adjoining."

- June 18? The Sheriff of Cambridgeshire to the Council. In the execution of the ship-money writ at Melbourn, his bailiffs were assaulted by more than 100 of the inhabitants, five or six of them grievously beaten, and all of them hardly escaping with their lives. The men dared not again go about that or any other business of His Majesty, and such was the opposition in divers other parts of the county that the sheriff could not go through with the service unless course were taken for suppressing such insurrections.
- June 18. Earl of Northumberland to Nicholas. I am advertised by the officers of Colonel Lunsford's regiment that out of the 1,200 soldiers they were to have out of Somerset they have only 833.
- June 19. Richard Trevill, Sheriff of Cornwall, to the Council. The constables make a very small return of ship-money, and when they distrain very few would buy any of the goods, so that for want of pasture they were forced to return the cattle distrained to the owners again.
- June 20. Ralph Hughes, Sheriff of Flintshire, to Nicholas. I am right sorry to write with what reluctance most men of late depart with their moneys. But whether poverty, the common disease which has been too long in this county and still increaseth, or the multiplicity of new charges, or supplies for maintenance of soldiers, or the late discomfortable news of the Parliament's dissolution, or what other or more causes there are of these clouds I know not. God in mercy turn all things to the best!
- June 22. Colonel Thomas Lunsford to the Earl of Northumberland. "I find my regiment in greatest disorder. Divers of them in troops returned home, all in a forwardness to disband, and the counties rather to foment their dislikes than assist in punishment or persuasions. Haes and Cries work no effect. We want orders to raise the power of the counties. We are daily assaulted by sometimes 500 of them together, and have hurt and killed some in our own defences, and are driven to keep together upon our guards. Notwithstanding, we march still forward, with as many as we can; but without speedy punishment of those who run away at home, or force along with us, I fear we shall in our numbers deceive your Excellency's expectation at the rendezvous."
- June 22. Secretary Windebank to Lord Conway. "There came a packet yesterday from Whitehall. Scotland to the Earl of Lanerick,^a which brought several advertisements of the proceedings of the Covenanters, together with a paper of demands to His Majesty, which they styled a petition, but it was full of such insolencies as none but rebels durst have ventured to tender to their King. They have ended their Parliament, ratified all their first Acts rejected by His Majesty, and demand confirmation of them by His Majesty. Besides, they demand the enlargement of London, restitution

^a See Rushworth, ii. part 2, p. 1210.

of their ships and goods taken at sea, withdrawing His Majesty's forces both by sea and land, and if His Majesty shall refuse them any of these demands, they threaten to right themselves by force. Your Lordship shall do well, therefore, to put the forces of Newcastle in order, seeing it is more than probable they will make an irruption into England, and that their first design will be upon that place."

- June 22. John Brownlowe, Sheriff of Lincolnshire, to the Council. He finds an exceeding great backwardness, both in them that should pay and in them that are employed to assess and levy the money. He sets forth, also, the difficulty of distraining, on account of violence offered to the bailiffs, and the fears entertained by the bailiffs of being troubled with actions and suits. He has no hope to levy any considerable sum beyond what is remitted already.
- June 23. Sir Kenelm Digby to Lord Conway. After jocular remarks on the mutinous conduct of soldiers and their brutal usage of their officers, he adds: "*Raillerie à part*. People are strangely disaffected and untoward, and you must wonderfully alter their dispositions to do anything of importance with them."
- June 23. Elizabeth Maxwell to her mother. There is such work in this country among us, Wintoun, Scotland. that is pitiful to see. Wise men altogether misled with the conceit of England's help: upon the which assurance we are making all the forces can be to go there about the middle of July. It is intended they will march and never rest till they be at Newcastle.
- June 24. Deputy-Lieutenants of the Middle Division of Surrey to the Lord Lieutenants. Acknowledge letters for levy of 800 men with moneys for coating, clothing, and conducting. The high constables had received so little money that the men could not be levied nor the service performed. Some parishes have not made any assessments, some have assessed and not paid, some have paid some part, some petty constables have made no returns, but the most part allege that they are not able to pay by reason of the scarcity of money.
- June 24. William Armyne, Sheriff of co. Huntingdon, to the Council. "The country Orton. say they are unable to pay by reason of so many several taxes lately imposed upon them, and that they have no money nor know they how to get any, all commodities are so dead in the country, that neither corn, cattle, nor wood will sell almost for any price. Nor can I yet get any assessments from a great part of the country."
- June 25. Sir Thomas Jermyn, Lord Lieutenant of Suffolk, to Sir Henry Vane. In Suffolk Rush-brooke. there had been a meeting which brought Sir Thomas Jermyn over from Rushbrooke to Beccles in his coach. Whilst he was there, and whilst the soldiers were assembled in the market-place, there arrived a commissioner from London with authority to execute martial-law. Sir Thomas thereupon addressed the soldiers, who were much allayed by the commissioner's coming so opportunely, and Sir Thomas hoped that example made of some of the runaways would be all that would be necessary.

- June 30. Lord Conway to Secretary Windebank, with paper of news from Scotland. Continnal and universal rumour that the Scots will come into England, although Lord Conway thinks they will choose the worse by doing so, for beside the opposition that they will meet here, the King will certainly find some that will shew themselves in Scotland to be of his party, when the army is gone from thence, whereas if they keep themselves within Scotland the natural strength and poverty of their country will much defend them.
- June 30. Earl of Northumberland to Conway. "The enlargement of Lord Loudon causes a belief here in the world that we shall come to terms of accommodation with the Scots, but seriously I do not know that any such thing is intended. Yet to your Lordship I must confess that our wants and disorders are so great that I cannot devise how we should go on with our designs for this year. Most of the ways that were relied on for supplies of money have hitherto failed us, and for aught I know we are likely to become the most despised nation of Europe. To the regiments that are now rising we, for want of money, have been able to advance but 14 days' pay; the rest must meet them upon their march towards Selby, and for both the horse and foot already in the North, we can for the present send them but 7 days' pay. We are gallant men, for this doth not at all discourage us. We yet make full account of conquering Scotland before many months pass. Our council table is lately much strengthened by the addition of my Lord of Cork, and this promotion to his lordship will draw from him good store of crowns."
- June 30. Sir Jacob Asteley to Lord Conway. These men that are already "comen" are good bodied men, but extremely unruly; they break open all prisons, and are ready to strike their officers and do great mischief in the country.
- June. Rodolphe Warcopp, Sheriff of Oxfordshire, to the Council. Relates what impediments were thrown in his way in endeavouring to collect ship-money. Wherever he came, constables would not be found at home; gates were chained, locked, and barricadoed; all officers refused to assist him, and the country would not pay but by distress.
- July 1. Deputy-Lieutenants of Somersetshire. After long detail of their exertions in despatch of the men out of that county, and advances made by them of money out of their own pockets, they say the constables bring in no money for that service, alleging that their neighbours excused themselves by saying they had no money, and, the Deputy-Lieutenants requiring them to bring in the names of refusers, their answer was they must bring in the names of every man in some hundreds.
- July 2. Deputy-Lieutenants of Hants. Report excuses and contrivances to avoid supplying horses. The coat and conduct-money for the county was £2,500, of which £500 had been brought in and expended. The coats had been supplied upon the undertaking of the writers, and they pray the Lords to help them to make their under-

taking good. Since the soldiers were sent out of that county very many have returned, some with discharges, some without, and some followed by Hue and Cry.

- July 6. Sec. Windebank to Lord Conway. The rumour of the Scots coming into England is more discoursed than apprehended. Their party here, which I fear is very numerous, promising themselves rather advantage by it than loss, and others, not inclined to them, being hard of belief they have either the courage or power to make a formal invasion, but rather to pilfer and pillage on the borders. . . . I am very glad to understand you are so well provided for them, and I hope, notwithstanding all machinations to the contrary, the great nerve of war shall not be wanting, but that His Majesty shall be supplied both in time and proportion fit for his occasions. Some restiveness there appears yet in some counties in raising the forces, and sundry insolencies are committed by the forces when they are levied, most of which have been redressed upon repair of the Lord Lieutenants in person to the counties, so that the people are not in themselves refractory, but where the Lord-Lieutenants and their Deputy-Lieutenants are well affected and diligent, the service succeeds without difficulty.
- July 6. Sir Wm. Howard to Lord Conway. It is most certainly true we have no manner of defence to resist if we should be invaded. Our country is extreme factions, and generally inclined to the Scots, our train-bands very defective, and no officers to command them.
- July 11. Deputy-Lieutenants of Herefordshire to the Lord-Lieutenant. Report that they had finished their great and difficult service of the levy of soldiers, in the execution whereof they had passed through eminent dangers in regard of the mutinous disobedience of the soldiers, never before known or heard of in that county.
- July 11. Deputy-Lieutenants of Devon to the Lord Lieutenant. Account of the murder of Lieutenant Compton Evers by his troops at Wellington. Forbearing to go to church they suspected him to be a Papist, whereupon they set upon him and murdered him, with circumstances of frightful atrocity, which are more fully detailed in other letters. On endeavouring to arrest four of them, above twenty others came forward declaring that they were all equally guilty, and that if they would hang one they should hang all.
- July 13. Earl of Northumberland to Lord Conway. Late advertisements give hopes that the Scots are not so well provided to invade us as their countrymen in this Court report them to be. The Earl had ordered troops to Carlisle. Fears that within a few days they will neither have money to raise troops nor to pay those already raised. Keeping disorderly and new raised men without pay, and coining copper money, are shrewd signs that money is not so plentiful as it ought to be at the beginning of a war. Wishes an order he sends for payment of the army, delaying the payment until seven days after the month was run out, had been forborne till the

men were in better obedience . . . "I pray good those that were the advisers of it do not approve themselves more ignorant in the ways of governing an army than they would seem to be."

- July 12. Sir John Ogle to Lord Conway. The soldiers commit infinite disorders, beating their officers and spoiling the country on their way to Selby.
- July 15. Authority for Sir Jacob Asteley to put martial-law in force.
- July 15. Sir Michael Ernely. In these parts they give no credit to the intention of the Scots to invade England. "Doubtless it is rather their discourse than their intention, though I believe they want no will, if their power were sufficient."
- July 15. Sir John Conyers to Secretary Windebank. Still thinks the Scots mean no invasion. Enumerates troops of theirs to the number of 4,200. His own preparations for defence.
- July 17. Lord Conway to Secretary Windebank. "I do not conceive they will come into Newcastle. England." His want of money. Has borrowed of the Sheriff of Durham and Mayor of Newcastle part of the ship-money. 400 draught-horses come down, 800 more will be here in four days. "There is no order taken for their payment, or any man that knows what to do with them. There is only one man sent down, a deputy to Mr. Davenant. If another man should do so, he would put it into a play."
- July 17. News from Scotland, from some one who was at last convinced that the Scots meant invasion. They will pillage none but the Papists and the Canonical Church, and their plot is to be masters of the Tyne, and by stopping the coal-trade to compel the King to grant them more than ever yet they desired. (This received by Windebank, 19th inst.)
- July 18. Sir Jacob Asteley to Lord Conway. "It will be impossible for us to keep our men together if they miss their seven days' pay. . . . It will cause them to disbandon, to rise against their officers, or spoil the country. I see much inconvenience huffers [hovers] about us, and that this army in the infancy of it, after it has cost the King a great deal of treasure, will come to nothing." . . . Has desired the Vice-President to write to the constables in the villages where their 13 regiments lie, that the inhabitants will give the soldiers trust for victuals for seven days; and he will instruct the officers to temporise with their soldiers with affability and gentleness. That part of his own regiment that was raised in Berkshire came to Daventry, and there totally disbandoned; and Colonel Colepepper's lieutenant-colonel's lieutenant is slain beastly by the Devonshire men. "God send us well off from this business!"
- July 19. Francis Windebank to his father the Secretary. When I first received my men, Ciren- divers of them swore desperately if they found we were Papists they would soon cester. despatch us; but I finding their humours, upon my first day's march I desired them all to kneel down and to sing psalms, and made one of my officers to read prayers,

which pleased them not a little, and being very familiar with them at the first, giving them drink and stinking tobacco of six pence a pound, gained their loves, so as they all now swear they will never leave me as long as they live, and, indeed, I have not had one man run from me yet in this nine days' march; but other captains of our regiment are so fearful of their soldiers that they dare not march with them on the way, their soldiers having much threatened them and done much mischief.

- July 19.
Cirencester. Francis Windebank to his cousin Read. The Puritan rascals of the country had strongly possessed the soldiers that all the commanders of our regiment were Papists, so that I was forced for two or three days to sing psalms all the day I marched, for all their religion lies in a psalm. . . . Every morning when I first come amongst them they shake me so heartily by the hand that I was once in doubt I should had my arm shook off in courtesy.
- July 20. Sir Nicholas Byron to Lord Conway. "It is credibly believed at the Court that the Scots will be in England before the last of this month. But I am not of their opinion, for I apprehend far more our own distraction than their threats, valuing them no more than my Lord Lieutenant's three blind mice, if we were not so distempered as we are at home." Soldiers sent to the House of Correction on the march, and exercised daily with the whip.
- July 21. Secretary Windebank to Lord Conway. Begins to doubt "that if the Scots draw any considerable numbers together, they must be necessitated to enter into action, they being not otherwise able to subsist in that miserable country. Besides, they understand too well our slowness and defects, and what a powerful party they are likely to find here, that will rather join with them than oppose them. In the meantime we are labouring for moneys, and if we shall find none we are likely to make some for the present occasion, which, though it may train with it many considerable inconveniences, yet we hope the greatest of all will be by this means avoided, which is the frustrating of this year's expedition, than which nothing can be a greater detriment to His Majesty and the State, both in honour and safety, and yet nothing can be pursued with greater earnestness and practice, both in city and country."
- July 21.
London. Earl of Northumberland to Lord Conway. By your credit at Newcastle you have made good provision for payment of the horse. That shipping money which you have got into your fingers was designed for the garrison of Berwick. Make yourselves merry this month, for after those moneys are spent we shall see how far your credits will reach, unless in the mean time the Scots come into England, and then I doubt not you will be made rich by the spoils of your enemies. . . . I expect every hour to hear of the disbanding of the foot for want of pay.
- July 22. Lord Maynard to the Council. Great outrages committed by the soldiers in Essex, which daily increase. . . . They all obstinately persist in a wilful resolution rather to die than to go by sea.

- July 23.
Albury. Earl of Arundel and Surrey to Secretary Windebank. I am sorry the coat and conduct-money goes no freelier on. All care is taken to further it, but I must freely tell you that the example of the City of London's slackness, and the borough of Southwark not being punished by the Lords of the Council when they were returned as refractory, works much on the obstinacy of this county, as I declared in Council.
- July 24.
Abingdon. Captain William Lower to Secretary Windebank. Within 3 miles of Brackley his men met the mutineers, who had disbanded themselves at Daventry, who so poisoned them with base lies, amongst others that their officers were all Papists, that they drew his men along with them. He rode back three or four miles endeavouring to bring them on, until they threatened to beat out his brains.
- July 25.
Sion. Earl of Northumberland to Lord Conway. The forces to be under the command of my Lord Hamilton and myself, with the shipping belonging to them, until the end of October, amounts unto £300,000, towards which we have not in cash nor in view above £20,000 at the most. If some speedy way be not found to get the rest presently, I do not think that I shall pass the Trent this year I see we shall never give over the design so long as it is possible for us to hold it up. We now begin to talk of going into the field towards the end of September; within a few days I shall be able to let you know what is resolved.
- July 27.
Eston. Lord Maynard to the Council. The insolences of the soldiers billeted in Essex every day increase. Within these few days they have taken upon them to reform churches, and even in the time of divine service to pull down the rails about the Communion tables; and in Icklington, in Cambridgeshire, to force the minister to run over a river, and at Penfield, near Braintree, to forsake his charge and family to save his life. Craves their speedy being sent out of the county.
- July 27.
Leez. Earl of Warwick to Secretary Vane. Dr. Barkham, parson of Bocking, having given the soldiers a barrel of beer and 50s., I found them much distempered by drink, and in that distemper they went to his church and pulled up the rails about the Communion table . . . and brought these before their captain's lodging and burnt them. The like they did to another town near thereunto.
- July 29.
Berwick. Sir Michael Ernely to Secretary Windebank. It is generally believed that the Scots intend to invade England. I cannot perceive that they are likely to have an army any way fit for that purpose.
- Aug. 1.
Berwick. Sir John Conyers to Lord Conway. Carr is returned into Scotland, and it is said he hath brought with him a bond subscribed by 63 noblemen and gentlemen's hands in England that are ready to go the same way with them. . . . It is true the Scots army is come to Chousley wood, a mile and a half from Duncce, yesterday, being Friday the last of July . . . yet I cannot believe they intend to go into England; but it will be good that every one do stand upon his guard.

- Aug. 2. Lord Keeper Finch to Secretary Windebank. The King has dispensed with the attendance of the Council on account of [the plague]. For the shipping-business, I know of none this week whereof to send His Majesty an account. There hath been so little this fortnight or three weeks that the Committee never met, Mr. Nicholas telling us it was needless.
- Aug. 3. Lord Conway to Sec. Windebank. Is of opinion that the intelligence about the bond with 63 hands is counterfeit, sent only to deceive. "Neither do I believe that the Scots will come into England. This that they do is only to brag; but, however, I will look to myself as well as a man may that has no money in his purse. I would send for more of the foot from Selby, but I fear unpaid soldiers more than I do the Scots and the Devil to boot. God keep you from all three!"
- Aug. 3. Secretary Windebank to Lord Conway. The sickness being broken out at Hampton Court . . . we are in some disorder, and the King has dissolved the Council. Only the Lords of the Committee are commanded to attend.
- Aug. 3. Secretary Vane to Lord Conway. "It is my opinion that you will shortly, if not before this comes to your hands, hear that the Scots will march into England. I wish I may be deceived, for, as His Majesty's affairs are conditioned at present, I am one of those that desire not to hear that they should come on this side Tweed." The remainder of this letter is very important, especially as to the prolongation of the seven days' delay of pay to the soldiers to fourteen. The writer does not wonder if the officers were sad and melancholy thereat. The Scots know but too much of English disagreements and disorders.
- Aug. 5. Sir Jacob Asteley to Lord Conway. The time approacheth if they will do anything this summer. . . . I hear nothing less than a purpose of beginning. God help us! I fear a good occasion will be lost for want of moneys.
- Aug. 5. Sir John Conyers to Secretary Windebank. The Scots are yet at Chonsley Wood, and speak of marching on Thursday towards England. . . . Till I see them in England I shall not believe they intend it, although they make great brags and speak of wonders. . . . Perchance they will pass into England . . . to pillage what they can to live upon this winter, else I know not what they should intend; for though the King's army do not yet appear, which I believe does much embolden them, yet they cannot but think it may come.
- Aug. 6. Lord Conway to Secretary Windebank. "I do every hour expect to hear news that the Scots are come over Tweed, although it be against my judgment that they should. This is certain, they cannot continue long there, but must either come into England or dissolve. Their front takes up two miles. I hope they have not depth accordingly."
- Aug. 6. Secretary Windebank to Lord Conway. We are still using diligence here for money, and a very considerable sum is ready to be sent into your parts, and will be

with you within these eight or ten days. Some discourse, I doubt not, will be spread in those parts of His Majesty's purpose of retrenching some part of the army, and it is true that such a proposition hath been made, but the resolution is not yet settled. For the Scots coming into England, most opinions (those only excepted that are of their party and wish it,) concur with that of your Lordship, and I have not yet seen any convincing reason to my understanding to the contrary.

Aug. 11. Earl of Northumberland to Lord Conway. If the Scots have a purpose of coming into England, I doubt you will find it a hard matter to hinder them with the small number of horse you have. The foot that are come to Selby are so unskilful in the use of their arms, so disaffected, and so ill paid, that I can hope for little help from them for the present. . . . If money can be gotten, I purpose to be gone from hence the next week; my carriages and servants I am sending away within four days.

Aug. 12. Sir John Conyers to Lord Conway. "All men are now here of opinion that the Berwick. Scots will come into England within a few days . . . They make provision of 6,000 sheep and 1,000 head of cattle, so that they will not be able to march long journeys, yet they say they will lodge the first night at Flodden, the second at Hedgley Moor, and the third at Boekingfield Moor, and that they mean to stay there some time, but that I believe not. 'Tis said they will pass the Tweed at Wark, at Cornhill, and at Carem, which in my opinion is too far for me to attempt anything in their passage, beside the Tweed is in so many places fordable that I should fear to have my passage hindered in my retreat . . . 'Tis said for certain their people go as unwillingly to the war as ours." . . . Advises Lord Conway not to advance further towards them than he can retire before them to secure Newcastle.

Aug. 13. The Earl of Salisbury to Secretary Windebank. The soldiers here begin to follow Hatfield. the example of their neighbours of Essex, in pulling down the rails about the Communion table; and at Hadham, where Dr. Paske is the incumbent, they have pulled down a window lately built by him. I have sent to apprehend them . . . It is very likely the people of that town set them on, for there was but three of them that pulled down the window, which "mought" easily have been prevented and they apprehended if the town had not connived at it, but such is the disaffection of the people here, as I fear if there be not some present order for the disposing of the soldiers some mischief is very like to fall out.

Aug. 13. Secretary Windebank to Lord Conway. "His Majesty's pleasure is that your lordship and Sir Jacob Ashley put all your forces in a readiness and march toward those places with all speed where you expect they [the Scots] will pass. This order is given to the Lord General, by whose hand you will more particularly receive it." All the cattle to be driven away. "This Manifest that the Scots have set out is a pestilent piece, and sundry copies of it are spread in London and other parts."

Aug. 14. Secretary Windebank to Lord Conway. To erect redoubts on hills whence Newcastle may be battered or incommodated, and if he has not money for such a work to cause the inhabitants of the town to work thereon.

- Aug. 14. Sir Edward Osborne, Vice-President of York, to Lord Conway. Murmurs and repinings that fall from all the gentry's mouths in every place and upon all occasions. "I am persuaded if Hannibal were at our gates, some had rather open them than keep him out."
- Aug. 14. Sir John Conyers to Secretary Windebank. I learn that Sir Henry Gibb carried much money with him into Scotland, and brought his cloak-bags full of books back with him, of this Declaration of theirs which they have now lately published. He was much honoured in that camp.
- Aug. 15. Secretary Vane to Lord Conway. The Lord General sick. The King taking a course to beat the rebels back into their country if you make it good but until this day eight days.
- Aug. 15. Sir John Clavering to Conway. Sends two seditious books dispersed by the Scots in towns and villages to hoodwink the people. His son ventured into their leaguer at Chousley Wood. Saw the General. Had a particular view of 19 regiments. They expect 8 more. Have provided a fortnight's provision.
- Aug. 19. Sir John Conyers to Secretary Windebank. John Carr, of Loctour, within Scotland, but on the Scottish border, was captured passing through Wark, an English town, on his way from the Scottish camp to his own home. He was stated to be a busy man, and was charged with having published some of the Scotch Declarations at Wooler. Sir John is of opinion the Scots will not come over at all, but have made as great a show of intention to come as they can, in hope of some kind of stir or revolt in England.
- Aug. 19. Sir John Conyers to Lord Conway. If they pass not to-morrow I am of opinion they will never come into England. If they do come, advises Lord Conway not to fight with them, but to retire before them until his army be complete.
- Aug. 21. Sir John Conyers to Secretary Vane. "The Scots are now come over with their army at Cornhill, all but their cannon. That cannot yet pass by reason of the high water. They began to march over the last night and have been passing all night. Two of theirs were drowned in passing over. Some say about 12,000 are passed, and 6,000 horse are to come. They lodge as yet at a place called the Lenden or Greenhill."

These brief notes contain a history in little, written by some of the chief actors in the transactions to which they refer, and, in the main, in their own words. The tale relates to a people bound together in a constitutional system, skilfully contrived in order to secure co-operation and harmony between the King and his subjects. In these papers we find King and people all a-jar. Co-operation

there is none, and instead of harmony there is discord. The King has refused on his part to submit to the restraints sought to be imposed upon him by Parliament. He has insisted upon acting not by law but by prerogative, which meant by his own will. The people on their part are bent on not giving him assistance except in a Parliamentary way. The example of refusal set by the metropolis is echoed by the counties far and near; by all those which were most directly connected with the capital, and by many of the most remote. The circumstances affected two kingdoms. One was already in a condition of armed rebellion; the other, instead of carrying out the King's grand scheme for conquering the rebels by invading their country with several armies and at many points, does all it possibly can to prevent his obtaining either men or money. The fragmentary bodies of recruits which constituted the only army he was able to raise, were undisciplined, without any sufficient commander, mutinous, and ill-paid, a greater terror to their friends than to their foes; and as for invasion, the people whose country it had been proposed to invade had become the invaders. England, although forewarned of the Scottish intention to cross the Border, permitted their well-trained army to ford the Tweed without molestation, and to march, without meeting an opponent, right through Northumberland to the northern bank of the Tyne, the people everywhere rather making them welcome than offering resistance.

Such facts presented a serious lesson to the consideration of the King and his advisers. How was it received? The King, as soon as he became assured that the Scots really intended to march into England, determined, with the resolution which he so often showed in difficulties, to meet them in the North, and to strive to rouse against them the spirit which had sufficed to protect the country in the old days of border feuds.

On Thursday the 20th of August, the same day on which the Scots crossed the Tweed, the King "departed by coach from Denmark House toward the North."^a He slept that night at Hunting-

^a Dom. State Papers, under date.

don. As he went on his hopes of being able to make an effectual opposition to the invaders increased. From Newark, where he stayed the second night, he communicated his cheerful anticipations to the Council, "Now I have no fear at all of Newcastle." ^a On the morning of the 22nd he received a proposal from the Council that they should send for some of those private persons who had already contributed to the loan, and treat with them "for lending more money" upon security. Before he left Newark he hastily returned his answer:—"I approve of this, and for God's sake haste monies all you can by all ways, and haste account thereof to me. C. R." ^b He reached York on the 22nd at night. There, if not before, he learned that the anticipated invasion had been accomplished, and that the Scots were steadily marching southward, by the high-road from Coldstream, through Wooler, Morpeth, and so on towards Newcastle. At York, he found also that he had to encounter many difficulties from the unwilling people, but he met them with gracious promises, and seemed to make progress in getting together troops. Still money was the great want. "Hasten moneys to me," was his message on the 23rd of August, "and in particular hasten that of rasing [basing?] the coin." On the 27th he was still more urgent, "Monies! . . . if ye send us none, or too little, the rebels will beat us without striking stroke."

The Council with its Juncto or Committee, which we should now term the Cabinet, to which the King had left the ultimate management of affairs in London, were, in their way, exceedingly industrious. One of their most notable achievements at this time was the purchase of a large stock of pepper, stored in the city, in cellars belonging to the East India Company. The Council bought it all, upon terms of payment at a distant day, and instantly sold it at a great loss, but for ready money, to be sent off to the King. Whilst this consummate financial expedient was in progress, tidings that the invasion was effected reached London, and added to the labours of the Committee. Proclamations were prepared, full of

^a Clarendon State Papers, ii. 91.

^b *Ibid.*

impotent thunder against the Scots, and especially against the printed Declaration and paper of Information, by which the invaders sought to smooth their way in England.^a Mandates were got ready for levying forces, directions given for defending the Tower, and for appointing a guard for the Queen and Prince. It was considered whether Windsor or Hampton Court was the more secure place for their residence, and whether it was right, as the Committee phrased it, to "venture all in one bottom." In the midst of these indications of an alarm almost childish, tidings were received that the Scots had crossed the Tyne, and had put Lord Conway to the rout. Much about the same time the Secret Committee were informed by two of their number, Lord Cottington and Secretary Windebank, that some "Lords and other persons of quality," who had "been observed not to be very well contented with the time,"—who could be?—had simultaneously made their appearance in London, had held meetings, and, as it was whispered, had an intention to present some petition to the King. The persons alluded to were the Earls of Essex, Warwick, and Bedford, Lords Say, Russell, and Brooke, with Pym and Hampden.

Such a gathering boded stormy weather for the Government, whatever hope it might excite in what was then commonly termed the Commonwealth. The Committee put the worst construction upon it. In their estimation it indicated "some dangerous practice or intelligence with the Rebels of Scotland." A bold Government would have sent them all to the Tower as treasonable conspirators. Strafford or Laud in the height of their "pride of place" might have done so; but Strafford was now at York with the King, and the Archbishop and his coadjutor the right reverend Lord Treasurer were in a state of mere bewilderment. "I see," said the King, writing to them a few days afterwards, "Ye are all so frightened ye can resolve nothing."^b

^a We have printed the Declaration in the Appendix, with Archbishop Laud's Notes upon it; also the Information. Both are from copies among the State Papers.

^b Clarendon's State Papers, ii. 112.

What they did was eminently characteristic. To attack the whole body of the opposition Peers was a stroke of policy far beyond their capability ; but thinking "if they could be handsomely dispersed, it might be a singular advantage to the King's service," they sought to accomplish that end in a quiet way. 1. They procured the Earl Marshal, "as of himself," to send to the Earl of Bedford, and to suggest to him that at such a time he ought to be in the county of which he was one of the Lords-Lieutenant, to attend to the King's service there. 2. They got a friend of the Earl of Essex to deal with him "to repair of himself" to the King and "make offer of his service," from which, in spite of the want of courtesy with which he had been rewarded for his services in the preceding year, it is said that "he seemed not averse." 3. They solicited Henry Percy, brother of the Earl of Northumberland, who was an officer of the Queen's household, to suggest to her Majesty to recommend the employment of Essex to the King, and to prompt his Majesty to write him a letter of invitation couched in the most obliging terms. The Queen apprehended the matter so rightly, as she did instantly write the suggested letter, "as one much concerned."^a 4. Besides these acts of deputy-statesmanship, the Committee directed Secretary Windebank to inquire of his Majesty, in their name, what he wished to have done to prevent or divert the presentation of the petition which the opposition Peers were hatching. If Essex, the Secretary was directed to add, "were taken off, the knot would be much weakened, if not dissolved, and besides he is a popular man, and it will give extraordinary satisfaction to all sorts of people to see him in employment again."^b The King answered that it was "most fit" that the whole Council should "absolutely command" all Lord-Lieutenants not employed by his Majesty "to repair immediately to their counties, it being not enough that any one Lord should do it as of himself, and this," the King added, "I think will do it." As to Essex, he remarked,

^a Letter of Henry Percy, Dom. State Papers, 31 Aug. 1640, printed in the Appendix.

^b Clarendon State Papers, ii. 94.

“ I have already invited him, and mean to do it more effectually, to come along with the forces of his county,”^a which was not at all what was suggested, or would be likely to answer the end proposed.

The King at this time thoroughly saw through the weakness and incompetency of his London advisers and treated them accordingly. With reference to another petition getting up in London by Dr. Cornelius Burgess, the Committee advised the King to commit Dr. Burgess, if he ventured upon a journey with his petition to York. His Majesty’s answer was, “ I could wish ye would show as much stoutness there, as ye counsel me to, here.”^b

Whilst this mere shilly-shallying was in progress, the invaders followed up their victory over Lord Conway by marching quietly into Newcastle, seizing whatever stores had belonged to the royal army, with the money in the custom house, taking absolute possession of the town, and calling upon the corporation to supply provisions for their troops. Thus fell into their power all Northumberland, Durham, which followed as of course, and everything to the north of the Tyne.

The King felt the indignity severely. He had advanced to North Allerton. He now retreated to York, and thence appealed to the whole body of the Privy Council for advice. They met in London on the 2nd September. Two propositions were stated to them: the one, the adoption of measures for “ reconciling the King and his people;” the other, the recourse to more stringent and violent measures for compelling the people to advance moneys. The meaning of the former alternative was to summon a Parliament; the latter, to run riot in an excess of lawlessness, an enlargement and extension of the course which, up to this time, had so signally failed. The Earl of Manchester, the oldest official person present, suggested whether, in preference to a Parliament, the King would not “ be contented ” to have a Great Council of Peers. The Earl of Berkshire objected that the Peers would speak of nothing but a Parliament; Sir Thomas Roe pointed out that a Great Council of Peers was an obsolete device,

^a Clarendon State Papers, ii. 95.

^b Ibid. ii. 117.

which had not been had recourse to for 300 years; the Earl of Dorset designated the proposed Great Council as "a way about"; it would be as long, he remarked, to call them as to call the Parliament, and the glory of summoning a Parliament would rather be given to them than to the Board. The official men, who well knew that anything would be more agreeable to the King than a Parliament, insisted upon the Great Council, and the Archbishop summed up the resolution in its favour, by adding that it was to be put to the King that they were "at the wall," and "in the dark," and could see no way but this Great Council, to which the Parliament, he added, would be "a consequent."^a

Sir Henry Hungate, who was despatched to the King with this advice, arrived in York most opportunely. The Opposition Lords, of whose meetings we have already heard, had sent down their petition by Lord Mandeville and Lord Howard of Escrick, who had presented it to the King. The petition is well known. It was signed by twelve peers, was a plain statement of the chief national grievances, and concluded with a prayer for a Parliament to be called in a short and convenient time. The victorious Scots had also presented a petition, praying that without further opposition they might come into His Majesty's presence, that he would consider their grievances, would provide for the repair of their wrongs and losses, and, "with the advice of the states of the Kingdom of England convened in Parliament," would settle a firm and durable peace. At the moment of Hungate's arrival the King was in consultation on the answers to be returned to these two sets of petitioners. Those present, as we are told, had been considering the same device which had occurred to their brethren in London, the propriety of calling a Council of Peers. Hungate's despatch decided the question in the affirmative. The twelve Peers were told that before the receipt of their petition the King had well foreseen the danger that threatened himself and his crowns, and had therefore resolved to summon all the Peers to York on the 24th inst., to

^a Hardwicke's State Papers, ii. 170.

consult what was fittest to be done. The Covenanters were referred to the meeting of the Great Council for an answer to their petition, and were told that if peace were their "desire, as they pretended," His Majesty expected and commanded that they should advance no further with their army. They obeyed the direction, establishing themselves in the counties in their possession, and receiving from them a contribution of £850 per day for the maintenance of their troops.

Whilst the petition of the twelve peers was under consideration at York, those of them who were in London did not abstain from soliciting other persons to express a concurrence with them in their avowed designs. They even made an open request to the Council to unite with them in their application to the King. Whether this was done in policy, with a view of disarming any possible accusation of conspiracy, or with what other motive, does not appear. They could not have expected any such concurrence as they solicited. The fact, however, is unquestionable, although not noticed by any of those who have written on the subject. In a paper of memoranda of Secretary Windebank, under the date of Sunday the 6th of September, we find the following:—

[Wrote] to His Majesty, account of our being at Hampton Court; the Lord Privy Seal's producing a copy of the Lords' petition, which he said he had from a scrivener, the Earls of Bedford and Hertford coming to the Earl Marshal, and their being appointed to come to the Board.

The two Earls attended accordingly at Whitehall on the day following, and we have Windebank's notes of what took place. They are, of course, written in an unfriendly spirit, by a man who must have looked upon himself as one of those "authors and contrivers" of misgovernment, whom the petitioners prayed might be brought to trial and punishment. The Earl of Hertford was the principal spokesman, and introduced the business by informing the Council that in the common danger they had presented a petition to His Majesty. That they had brought the like to the Lords, desiring them to join with them in it, with this protestation, that they washed their hands

from the mischiefs that would happen if the Lords did not unite with them. After this broad hint the petition was read, and there was much "freely spoken on both sides." The Earl Marshal was the chief defender of the government. He objected that in the petition the Scots were not termed rebels, and that in another passage it was desired that the Scots should join in the reformation of religion. The two Earls protested their loyalty, but avowed themselves to be the representatives of a widely extended public opinion. "They were sent," they declared, "from divers noblemen, and from the gentry in most parts of the kingdom." The Earl Marshal objected that a Parliament could not be called presently, nor apply a present remedy. The Earls answered, that, if the King would but call a Parliament, it would give satisfaction to the people. In the end the Council acquainted the two Earls with the substance of the answer to their petition given by the King at York, and dismissed them with an assurance that they would receive the original answer by their own messenger.^a

A Parliament was recognised everywhere as the one thing needed. "It is not expected by us here" [at York], remarked Secretary Vane, "that the meeting of the Peers will produce anything more than a resolution for a Parliament—which word is thought sufficient, not only to put the Scots out of the kingdom, but a balm to cure all our sores."^b A petition to the same effect as that of the Lords was got up in the city. The Council set their face against any such movement, and wrote to the Lord Mayor that the petition was "a shameful one and unreasonable, and that they could not believe the city would be so undutiful." But the general feeling was irresistible. Even the Council was obliged ultimately to bend to the force which they could not resist, but which they must have felt was sweeping them on to ruin. They advised the King to take the initiative in complying with the popular desire. On the motion of the Lord Marshal they wrote to His Majesty that he should

^a We have printed Windebank's Notes of this interview in the Appendix.

^b Secretary Vane to Secretary Windebank, 16 Sept. 1640, Dom. State Papers.

at once declare the calling of a Parliament, that he might have the honour of it himself.^a On the 18th of September, Secretary Vane answered, that, notwithstanding their "advice for a Parliament, he did not find in His Majesty yet any certain resolution for the same." The King had a hard struggle within himself to submit again to call together the hated and now feared assembly. In his difficulty he wrote to the Queen for her advice. On the 22nd, the London petition for a Parliament was presented to the King, signed by four Aldermen and "not so few as ten thousand others." The weight of these reiterated appeals was felt so strongly by the King, and even by the most servile (loyal they esteemed themselves) of those about him, that the Council in London was reproved for the opinion that either "Burgess the minister" or other persons who should deliver such petitions should be committed. On the 24th, the very day of the meeting of the Great Council at York, the King, having received the opinion of the Queen, made up his mind to take the advice given him, and when the Great Council met, he announced to them that, acting upon Her Majesty's advice, he had directed a Parliament to be summoned for the 3rd of November. The secretary's letter to his official brother in London, written in the afternoon of the 24th, forwarded an order to prepare the writs for the Parliament, with directions to give the Queen knowledge thereof, and a message to Her Majesty from the secretary that the King had that morning "expressed himself frankly to the Peers, to their great satisfaction and contentment."^b

The King's determination to call a Parliament had withdrawn from the Great Council the principal ground of their meeting. Two questions, however, still remained. What arrangement could be made in the meantime with the Scots? And how was the army which the King had now got about him to be supported? The latter question was soon and easily settled. In a spirit of entire

^a Notes of Council, 16th Sept. 1640, Dom. State Papers.

^b Secretary Vane to Secretary Windebank, Dom. State Papers, under date.

independence of the King's ordinary advisers, the Great Council at once took upon it to do the work of the Executive. Some of its members were directed to apply to the City of London for a loan. The merchants and aldermen, who could find no money so long as the King was at variance with his people, made little difficulty in supplying the necessary amount now that he had yielded to the general wish for a Parliament. But what was to be done with the Scots? Entrenched in Newcastle, the Northern Counties at their mercy, with a contribution for maintenance paid them by Northumberland, Durham, and Newcastle, in all the flush of success, with full confidence in their general, and with a certainty that the King's undisciplined troops were quite unable to withstand them, they were not likely to be in any mood to abate a jot of their demands, or to be got rid of without large concessions.

As soon as certain Lords had been set apart to deal with the City of London, another body of sixteen peers was deputed to treat with the Scots. Their task was one of extreme difficulty, but they were all animated by the new spirit which the Great Council had imported into the King's affairs.

What ensued has been commented upon by historical writers in a variety of ways. In paragraphs, the foundation of which was in his own imagination, Clarendon was very severe upon the sixteen Commissioners, whom he describes as having been ignorant of the state of the Scottish question, and as having permitted themselves to be misled by the Covenanters into consenting to whatsoever was proposed; Hume's account, incomplete at best, is, so far as it goes, entirely devoid of truth; and every one of our historical writers, most of them following one or other of those great writers, is more or less mistaken in his statements upon this subject. The reason of this general inaccuracy is easily explicable.

When King Charles went in haste to York, on the 20th August, he took with him but few of his customary attendants. As the main business was presumed to be Scottish, there accompanied him several noblemen who had been engaged in the previous affairs of that

country; but Strafford and Lord Chancellor Finch were almost his only confidential English advisers. Vane was his Secretary of State, and, in accordance with the ancient custom of having an officer of arms as a messenger upon all martial as well as ceremonial occasions, there was Sir John Borough, the Garter of the day, who was also Keeper of the Records in the Tower, as the Herald. As Keeper of the Records we have seen that when the King was discussing the propriety of summoning the Great Council of Peers, Borough was called in to enlighten the Council by his record-learning respecting those ancient assemblies. He had other qualities which were found valuable. He was a great note-taker. The curious notes of the interview between Charles and the Covenanters in the Earl Marshal's tent near Berwick, on the 11th June, 1639, were in all probability taken by him.^a When the Great Council met, he was appointed its clerk, and in that capacity he took the full and admirable notes of their proceedings which constitute the only record we possess of what took place in that assembly.^b Again, when the sixteen Commissioners went to Ripon, Borough accompanied them as their clerk, and took notes of the Treaty there. Finally, when the Treaty was adjourned to London, Borough resumed his attendance upon the Commissioners, and carried on his notes until the Treaty was concluded. His notes of the Great Council, those of the Treaty of Ripon, and those of the Treaty in London, were all written in separate books. Two of those books—that relating to the Great Council, and that to the Treaty in London, that is, the first and the third of the series—are in the British Museum, among the Harleian MSS., Nos. 456 and 457. The intermediate book, that which contained the notes taken at Ripon, has been searched for frequently, but in vain. Had it been

^a Every historical writer who has used these notes has been emphatic in their commendation as exhibiting the ability of the King and his skilfulness in debate. They were published by Lord Hardwicke (*State Papers*, ii. 130). It is not stated that they were written by Sir John Borough, but he was Secretary at that time to the Earl Marshal, in whose tent the meeting was held, and by whom the notes were sent to Archbishop Laud.

^b Hardwicke's *State Papers*, ii. 208—298.

accessible to Lord Hardwick, it cannot be doubted that he would have added it, as well as the final book relating to the Treaty in London, to the one he published, and thus have given us the whole series complete. Not finding it, he closed his publication of Borough's notes at the end of those of the Great Council.

So things remained until the spring of last year, when the present writer was invited by Colonel and Mrs. Carew, of Crowcombe Court, Somersetshire, to inspect a collection of manuscripts belonging to them which had not been looked at by any competent person within living memory. He found them carefully preserved in a recess converted into a closet in a room occupied as a museum. No damp and but little dust had reached them. They consisted of about 200 volumes of a very varied character, but principally relating to English history. Among them was discovered the original volume of notes taken by Sir John Borough during the Treaty of Ripon. They are written on sheets of foolscap paper fastened together book-wise, and are entirely in the hand-writing of Sir John Borough. The multitude of alterations in the manuscript, the evidences of haste presented by the character of the hand-writing, and the occasional incompleteness of the entries, sufficiently prove that the manuscript is the original and not a copy. This is the book now published, and, unless our prefatory narrative has totally failed of its purpose, it has been made clear that the recovery of Sir John Borough's notes fills a gap in a most important narrative, and is a great gain to the lovers of historical truth.

How such a book can have got astray, it is useless to inquire. Some accident probably separated it from its fellow note-books, and led ultimately to its exposure for sale, either at an auction or in a bookseller's shop. The way in which it subsequently made its way to Crowcombe Court is pretty clear. In the middle of the eighteenth century the head of the Crowcombe branch of the Carews was a Thomas Carew, Esq., a gentleman of eminence in his county, and for many years a representative in Parliament for the borough of Minehead. In that capacity he served at the close of the reign of

George II., and during the troublous times of Bute, and Pitt, and Wilkes, and is said to have "asserted the real interests of the country" with ability. Besides being a politician, Mr. Carew was a man of taste. He possessed a fondness for literature and art, and was a judge and a lover of good pictures and of sterling books. Near the site of a previous ancient residence which was destroyed by fire, he built the present mansion of Crowcombe Court,^a and placed in it his valuable collections of pictures and printed books. They still remain there,—the former widely known and highly valued, the latter identified by a book-plate of his arms displayed in a shield of thirty-two quarters. The manuscripts, also, were acquired by him—a multifarious collection, picked up, in all probability, here and there, during his visits to the metropolis. Some of them contain his memoranda, indicating where they were purchased, and the price paid. The Notes of Sir John Borough do not present any such earmark, but there is no reason to doubt that they found their way to Crowcombe in the same manner as the rest, and that they have quietly rested there since the middle of the last century. A monument in Crowcombe church indicates that Mr. Carew died in the year 1766, at the age of 64.

Colonel and Mrs. Carew have taken great interest in the discovery of these manuscripts, and have most liberally placed them at the service of such persons as were likely to apply them to the uses of historical literature. Several of them have been submitted to the Master of the Rolls, and are to be used in his Calendars now in the course of publication under his direction. Several others have been brought under the notice of the Council of the Camden Society, and have been accepted for publication by that society.

The notes now published constitute a work for careful study and consideration. The opinion of the present writer is, that, considered with reference to the peculiarity and difficulties of the position of the country, they will be found to establish that the English Commissioners acted with fidelity both to the Crown and to the

* There is a view of it in Collinson's History of Somersetshire, vol. iii. p. 516.

people, and did the best that was to be done for both. He submits the question, however, to the general judgment, with the expression of a hope that it will ere long be found convenient to complete the series of Sir John Borough's Notes by the publication of those taken by him of the treaty subsequently carried on with the Scottish Commissioners, and concluded in London on the 7th August, 1641. This invasion of England by the Scots has never yet been treated without such an admixture of prejudice or bigotry in the writers as leaves it still, with all its singular consequences in both countries, an interesting and worthy subject for a calm and honest pen. We have done what we can to facilitate its consideration, by noting, in the present publication, where the several papers which passed between the Commissioners are to be found, either in print or in manuscript, and also by printing in notes, and in an Appendix, a few additional papers of importance. Among the latter are two of the papers circulated by the Scots on their entry into England. The former of these has been reprinted before, but we have used a copy in the State Papers, which passed through the hands of Archbishop Laud, and contains his manuscript notes in the margin. It is principally for the sake of these notes that we have reprinted the paper. Taking the notes in connexion with the statements of the Scots, we have at one glance the views of both parties. Those of the Archbishop were simple in the extreme. Politically, he had but one complaint to make against the Scots. It was their "duty" to have obeyed the King. They failed in this respect, and that failure brought on all the succeeding trouble. As applicable to the King's commands, no question of right or wrong, of reason or unreason, of legality or the contrary, seems in the slightest degree to have disturbed the equanimity of the archbishop. In his estimation the whole case turned upon one single consideration. The premises were unquestionable, and the conclusion irresistible. The Scots had not yielded "the dutiful obedience of subjects," they could not therefore be otherwise than to blame, and not less so in the sight of God, than in that of their

sovereign, and of the archbishop. In this point lies the fatal error of the archbishop's policy as a statesman, and that of the sovereign who followed his advice to his own ruin.

One final remark may perhaps be permitted even in addition to this long Preface, in allusion to the occurrence of a celebrated name at p. 16. We are there told that Sir Richard Grenville was sent for by the Lords, that is, by the English Commissioners at Ripon, and that he was "to bring with him the examination of Lieutenant Cromwell, who had misbehaved himself towards the Scottish Commissioners at Ripon." Who was this Lieutenant Cromwell? Oliver was now in his 42nd year, and had recently served as one of the members for the town of Cambridge in the Short Parliament. Throughout life he entertained strong prejudices against the Scots, and their hostile presence in England would, under ordinary circumstances, have been calculated to excite his patriotic feeling. But the probability is, that, in common with the majority of the Puritan party, he at this time tolerated, if not hailed, their appearance, as the sure precursor of the political changes which he deemed necessary. Apart, therefore, from all difficulties arising out of his age and position in the world, both which militate against his serving in the capacity of a lieutenant, it can scarcely be thought likely that he would have been found in the ranks of the Royal army on this occasion. We must look for the choleric lieutenant among the other descendants of the Golden Knight of Hinchinbrook.

24th June, 1869.

NOTES OF THE TREATY AT RIPON,

A. D. 1640.

30th of September, 1640.

MEMORANDUM, that the Earle of Bedford being desired by the Lords Commissioners that were to go to Rippon, to know his Majesties pleasure, whether he would not permitt and giue leaue, when they and the Scotch Commissioners mett at Rippon, as occasion should serue, to haue communication apart with any of the Scotch Commissioners, to debate or argue, or to finde how farre any thing that was in agitation or debate might be brought on, as preparatory to what should be in agitation, which his Majestie approued of, and gaue allowance to any of his Commissioners there to conferre or treat in priuate or publick that should conduce to the aduancing of the treaty that they were sent about. This being attested by the Earle of Bedford in the presence of the Lord Mandeuile and Lord Sauill, then wayting upon his Majestie for that purpose.^a

^a At the end of the present MS. there occurs a more formal entry or memorandum relating to this transaction. Although substantially the same as the above, it differs from it in minute particulars, and in one place supplies words which are necessary to the completion of the sense. We therefore print it as it stands:—

“ Memorandum that on the 29th day of September, 1640, the Earle of Bedford being desired by the Lords Commissioners that were to go to Rippon, to know his Majesties pleasure, whether he would permitt and giue them leaue, when they mett with the Scottish Commissioners at Rippon, to haue communication apart with any of the said Scottish Commissioners, to debate and argue, or to find out how farre any matter agitated or debated might be brought on as a preparatorie to what was then in treaty, His Majestie was pleased to approue of that motion, and gaue allowance, that any of the Lords Commissioners might there conferre with the said Scottish Commissioners, in

NOTES OF THE TREATY

RIPPON, 2 October, 1640, in the forenoone.

English Commissioners present.

E. of Bedford.^a
 E. of Hartford.^b
 E. of Essex.^c
 E. of Salisbury.^d
 E. of Warwick.^e
 E. of Holland.^f
 E. of Bristol.^g
 E. of Berks.^h
 Lord Warton.ⁱ
 Lord Paggett.^j
 Lord Kimbolton.^k
 Lord Brooke.^l
 Lord Pawlett of Hinton St. George.^m
 Lord Howard.ⁿ

private or publicke, about any matter that might conduce to the advantage of the treaty that they were sent about.

FRA. BEDFORD.

P. WHARTON.

ED. HOWARD.

E. MANDEUILLE."

- ^a Francis Russell, Earl of Bedford, 1627 to 1641.
- ^b William Seymour, Earl of Hertford, 1621 to 1640, when he was created Marquess.
- ^c Robert Devereux, Earl of Essex, 1603 to 1646.
- ^d William Cecil, Earl of Salisbury, 1612 to 1668.
- ^e Robert Rich, Earl of Warwick, 1618 to 1658.
- ^f Henry Rich, Earl of Holland, 1624 to 1649.
- ^g John Digby, Earl of Bristol, 1622 to 1653.
- ^h Thomas Howard, Earl of Berkshire, 1626 to 1669.
- ⁱ Phillip Wharton, Lord Wharton, 1625 to 1696.
- ^j William Paget, Lord Paget, 1629 to 1678.
- ^k Edward Montagu, Lord Montagu of Kimbolton, 1626 to 1642, when he succeeded his father as Earl of Manchester.
- ^l Robert Greville, Lord Brooke, 1628 to 1643.
- ^m John Poulett, Lord Poulett of Hinton St. George, 1627 to 1649.
- ⁿ Edward Howard, Lord Howard of Escrick, 1628 to 1675.

Lord Sauill.^a

Lord Dunsmor.^b

Assistants.

E. of Trequair.^c

E. of Morton.^d

E. of Lanerick.^e

Mr. Secretary Vane.^f

Sir Lewis Steward.^g

Sir John Borough.^h

Scotch Committees.

E. of Dunfermelin.ⁱ

Lord Lowdon.^j

Sir Patrick Hepborne of Wachtou.^k

Sir William Douglas of Cauers.^l

John Smith.^m

Mr. Alexander Wedderburne.ⁿ

^a Thomas Savile, Viscount Savile in Ireland from 1628, Lord Savile in England from 1630, created Earl of Sussex in 1644.

^b Francis Leigh, Lord Dunsmore, from 1628, created Earl of Chichester in 1644.

^c James Stuart, Earl of Traquair, 1633 to 1659.

^d William Douglas, Earl of Morton, 1606 to 1648.

^e William Hamilton, Earl of Lanerick [Lanark] from 1639, succeeded to the Dukedom of Hamilton in 1649.

^f Sir Henry Vane, Secretary of State, 1640 and 1641.

^g Sir Lewis Steward. It is added in the margin, "Came to the Lords on Monday the 5th of October." Sir Lewis was a distinguished Scottish lawyer.

^h Garter King of Arms from 1633 to 1644.

ⁱ Charles Seton, Earl of Dunfermline, 1622 to 1674.

^j John Campbell, Earl of Loudoun, 1633 to 1663.

^k "Waughton," or more properly "Waughton," is the customary spelling of this name, that of the seat of the ancient family of Hepburn. Sir Patrick was at this time an active Covenanter.

^l Douglas of Cauers, Sheriff of Teviotdale; one of those who, like Hepburn, soon fell into suspicion among the Covenanters, as being too much inclined towards the King.

^m Minister at Burntisland.

ⁿ Town-clerk of Dundee; another of those who lost credit with the Covenanters by exhibiting a too compliant disposition towards the King.

Mr. Alexander Henryson.^a

Mr. Archibald Johnstoun.^b

At the meeting of the English and Scotch Committees
The *Lord Bristol* spake the preamble, which his Lordship may
be pleased to insert.^c

His Lordship sate in the middle of the table, and then the English
Lord[s], so many as could, on each side of him. The Earl of Dun-
fermelin and Lord Lowdon on the other side of the table, in the
middest thereof, and the rest of the Scotch commission on that side
to the lower end.

The Commission vnder the great Seale read. ^d

Earle Dunfermelin.

They haue no further power then to desire satisfaction according
to their Demands.

Lord Lowden.

Their Demands knowne in their Petitions and Acts of Parliament.
If the Pacification^e had been performed, they had not been in

^a The celebrated Alexander Henderson, minister of Leuchars, and afterwards beneficed
in Edinburgh; a clergyman of great distinction and influence among the Covenanters.

^b Afterwards Sir Archibald, and much later a judge of the High Court of Sessions by
the title of Lord Warriston, one of the busiest men on the part of Scotland throughout
all these troubles. He was executed in 1663.

^c Note in the margin of the MS., but afterwards erased, "Memorandum to entreat my
Lord of Bristol for his speech." What the Earl spoke ran as follows: "It is by His Majesties
special commandment that we give your Lordships this meeting; we come authorized by His
Majesties commission under the Great Seal of England, and by his Majesties further permis-
sion, we have been nominated and deputed by the Great Council of Peers now met at York.
Our ends and our desires I conceive are the same, which are by God's holy permission to en-
deavour to accommodate those unhappy misunderstandings and differences which are now
on foot, in such sort as may most redound to the glory of God, the establishment of true
Religion, the honour of the King, Sovereign to us both, and the peace and tranquillity of
both Nations." Rushworth, vol. ii. pt. ii. p. 1286.

^d See it in Rushworth, vol. ii. part ii. p. 1282, and in Nalson, vol. i. p. 447.

^e The Pacification referred to in this place, and frequently hereafter, is that agreed upon
in the previous year between the King and the Covenanters at Dunse Law, near Berwick.
The articles of it are printed in Rushworth, as before, p. 945, and in Nalson, i. 239.

this posture. The breach whereof was the cause of drawing their innocents [*sic*] swords for their defence, the performance whereof they desire, and no more.

They renewed their petition.

They were commanded to particuleris their desire, which they did, and were putt for an answere of their Lordships, which now they desire. And are onely to heare what their Lordships will say. They haue a commision to treat, but not vnder seale, beeing from their Commissioners of the Parliament.

Mr. Johnston read their commission,^a wherein they have power to conferre, treat, and demand, and to report back againe to the Commissioners of the Parliament.

E. of Bristo[ll.]

That the Lords may have copies on both sides. [*Margin*]
Ordered.

E. of Bristoll.

To declare whether they demand any thing more then in their letter to the E. Lanericke;^b otherwise, if more, they could not come instructed to giue answere.^c

Lord Lowdon and rest of the Scottish Commissione.

The conclusion of the late Parliament, our printed Declarations, and Letters to the Earle of Lanerick, do containe the subject and substance of all our Demands. [*Margin.*] Written from Mr. Hendersons owne mouth verbatim by order of the Scottish Lords.

^a Rushworth, vol. ii. part ii. p. 1285; and Nalson, vol. i. p. 450.

^b See it in Rushworth, as before, p. 1258.

^c There follows here a good deal of obliteration, in the midst of which stand the words "Lord Lowdon" uncanceled. It is clear that they were intended to have been cancelled, and that the next succeeding words were designed as a substitution for them and every thing which is obliterated. We have not therefore thought it necessary to insert them. It may be added also in this place, that every page of the MS. has a headline, which states the place, and the day, and the part of the day, of the meeting; *ex. gr.* "Rippon, 2 October. Morning. Friday." These words we have not thought it worth while to insert, except when there is a change in the day or time of day.

The English Lords retire to consider of an answeare and debate in priuate.

Ea. Bristoll.

Reades the last clause of the Instructions.^a

English Lords strangers to the lawes of Scotland, therefore desire to haue assistance [*sic*] that do.

That the effect of this clause might be spoaken to the Scotch Lords by Earl of Bristoll.

E. Trequair.

1. To aduertise the K[ing] the nature of the Scots commission.
2. The way of the Assistants appearing heere, and to know the particulars of the Scots objection against them.

E. Bristoll.

This answeare to be giuen.

That the Lords being ignorant of the Scotish laws, they desired assistants, which the King^b gaue them, viz. Lords Trequaire and Morton, not to haue votes, but to advize and giue satisfaction in case they were required.

E. Bristoll.

1. To reduce their answeare into heade[s].
 2. To lett them know how the Assistants sit heer.
- That any Lord will help him if he fayle in any thing.

The Lords retourne.

E. Bristoll.

Two thinges he is to speake vnto.

1. Vnto the extention of their demands, and therefore they would contract them to that which is materiall.

^a "Lastly, We have commanded that the Earls of Traquair, Morton, Lanerick, Mr. Secretary Vane, with the assistance of Sir Lewis Steward and Sir John Burrough, may be present at the Treaty between you and our subjects of Scotland, at all your publick debates, meetings, and conferences concerning the same. It is therefore our express pleasure that they or any of them may object, debate, and propose, what they (out of the knowledge and experience they have had of these affairs) shall conceive to conduce to our service and the peace of these our Kingdoms." (Rushworth, as before, p. 1284.)

^b The words "ded and" stand here, which apparently were omitted to be cancelled.

All this
in private.

2. In what qualitie the Lords assistant sit.

Mr. Henrison.^a

The "printed Declaration" is mentioned in the letter to the Earl of Lanerick.

M[r.] Johnson.

Reades the letter to the E. of Lanerick, wherein "printed Declarations" are expressed.

E. Bristoll.

2. In what qualitie the Lords sit as assistants.

The King was moued by the Lords to assigne Assistants that were versed[?] in the Scotch Lords [law], which he did, but not to haue vote.

Lord Lowden.

The Kings letter was onely to treat with their Lordships. The Assistants may aduize apart. Therefore their treaty cannot proceed, but with their Lordships onely.

There is in their demands a censure required against those that had maluersed themselues towards the kingdome of Scotland,^b and some of these are heer, and names Lord Trequaire, who the people say did not beare himselfe well, and therefore no power to treat with him.

E. Trequair.

They come by the King[s] command, nott by their owne seekeing. He desires to aunswere what is against him; he hath wished peace. That his being heer may not hinder the treaty, he will be ready in the towne to come as occasion shall require.

The English Lords retire.

E. Bristoll.

1. They say No instruction to treat with any but with the Lords.
2. They fall particular[ly] vpon my Lord Trequaires person.

Done in
private.

^a Henrison for Henderson.

^b The words are, "That the common incendiaries which have been the authors of this combustion may receive their just censure." Rushworth, vol. ii. part. ii. p. 1258.

That they may state their exception against the Assistants.

E. Trequaire.

The words of the Instructions are, that they may sitt. Therefore the Lords may proceed without the Assistants, but the King to be advertised.

Lords agree.

The cleare way to advertise the King. [*Margin.*] Agreed.

Trequaire.

The Lord Lowdon offered to giue their desires in writing, with their reasons.

If they go on in this way it will not be necessary that the Assistants be present, but they may be advized withall in priuate.

E. Bristoll.

It must not be in the Scots power to assigne our assistance. There must be debate in speech, but the result will be in paper.

Lord Trequair.

His carriage at Yorke repre[se]nted to the Scots at Newcastle. He knowes the party that did it.

He neuer treated with them but according to his Commission and his Instructions.

Lord Morton.

It will be necessary for my Lord Trequair to be neer, and to speake in some cases: for he is able to giue reasons, which others ignorant of the Lawes of Scotland are not.

E. Bristoll.

The Lords desire the Lord Trequair to be present, but, if they haue instructions to the contrary, then not.

They to be required to repeat their proposition, and to sett downe their resolution in writing, concerning their treating with Assistants. [*Margin.*] Agreed.

Many thinges must be by debate.

Lord Trequair.

They come with particular instructions from which they will not depart.

E. Berks.

The Lords are dispersed at Yorke, and therefore long before they can receave the Kings order.

E. Bristoll.

In priuate.

They may advize with their Assistants in priuate, which is a middle way.

The letters to the King to be penned by some of the Lords, in the meane time that the Lord Lowdon do plainely repeat and sett downe their resolution concerning the proposition of Assistants.

Next; directions how to bring in the Pacification.

The Pacification to be proposed vnto them as a rule, and so conceiued to be by all their petitions and writings.

The Lords returne.

E. Bristoll

Desires the Lord Lowdon to repeat with [what?] he formerly declared, that is, that

1. They are limited positiuely to their Instructions.
2. They could not treat in the presence of Assistants.

Lord Lowdon

Desire they may retire, and do so to consult.

The Scottish Lord[s] returne.

Lord Lowdon.

Because that they were required by the Lords to sett downe their answere in writing, they have so done.

Mr. Johnson reads their paper.

“ Because we doubt &c.”^a

Resolved that a copie shall be deliuered vnto me.

E. Bristol.

Moues to know whether they excepted against the clerke.

Lord Lowdon.

They do not, he being accessory to the treaty.

And they desire that one of theirs, being in towne, may be present if they see cause. [*Margin.*] Agreed.

E. Bristol.

That the Lords might make use of the Lords-Assistance information, but in private.

This assented vnto by the Scottish Lords.

E. Morton.

Moues that, if they may no sitt heer according to the Kings order, he desires they may be altogether excluded.

The Lords retire.

^a “ Because we doubt not but your Lorships are well acquainted both with our proceedings and the reasons of our Demands, and since by our Commission we are not warranted to treat but with the noblemen named by his Majestie with the advise of the Peeres, and are particularly warranted to make excepcion against the Earle of Traquair, for his malversation in the matters of the Assembly and Parliament, for which his Lordship and all such as have done evill offices to devide betwixt the King and his subjects are demanded to be censured, therefore wee expressly decline the Earle of Trequair, and do not concieve that, according to the warrants graunted to us in his Majesties lettres and our commission, any can assist att the Treaty but the Noblemen expressed in his Majesties lettre.” Orig. forwarded by Sir Henry Vane to the King. Dom. State Papers, 2nd October, 1640.

E. Bristoll.

Now, as the first step, to propose a suspension of Armes, and this to be sett afoot in the afternoone.

E. Salisbury.

To propound now, before dinne[r], the suspension.

E. Bristoll.

Who shall begin the motion of Pacification?

Lord Dunsmore.

The first thing to know whether they will stand to the Pacification.

Lords retvrne.

E. Bristoll.

As touching the Pacification. Hee desire[s] his Lordships resolution concerning that Rule.

Lord Sauill.

Reades the words of the Lord Lowdon['s] first speach,^a wherein he desired no more then the observance of the Pacification.

Lord Lowdon.

He cannot remember his particular words, but desires a copie, and in the afternoone he will truly sett them downe.

Condition of times do alter, and they craue now redresse as things do stand.

E. Bristoll.

They shall neuer in all this treaty finde captio[us]nesse of words.

Since the Lord Lowdon nominated the^b Articles of Pacification, and something must be a ground of treaty, whether the Articles of Pacification be not to be the ground.

^a See before, p. 5.

^b "the" inserted a second time here by evident mistake.

E. Bristol.

Prouisionall Instructions concerning cessation of Armes.

This he proposed by advice of the Lords. Therevpon the E. Dunfermeline sayd it was in their intention to moue it, and would thinke of it till afternoone and bring in something.

In private. They cannot go on with any treaty vntill further direction from the King, by reason of the exception to Assistants.

To propose to the Scots Lords that, if they haue any thing to offer concerning a cessation, they would be glad to heare it, and in the meane [time] they would send to the King for his resolution concerning the Assistants. [*Margin.*] Resolued.

The Lords retourne.

E. Bristol.

The Committees promised to prepare something against afternoone touching the cessation. Vpon the exception to the Assistants, and comparing it with their Instruction, they haue taken into consideration whether, without further direction from the King, they can proceed in the treaty.

If they will propose anything concerning a cessation, they will willingly heare it.

The Scots Lords retyre, and retourne.

The Lord Lowdon.

They thinke the proposition of cessation very reasonable.

They haue thought of some particulars to propose for accommodation.

The particulars read by Mr. Johnston.^a

^a There are two copies of this paper among the State Papers. It is also printed at full in Rushworth, as before, p. 1287, and an abstract of it in Nalson, i. 450.

The Lord Lowdon.

For explaining the opening of the Post-way, two Committees of theirs, one at Edinburg, another at Newcastle, and therefore must haue correspondencie one with the other. They cannot treat, the E. of Traquaire and other[s] present.

The Lords retyre.

Private.

They are to write to the King concerning the paper presented, and to send it to the King.

E. Bristoll.

To mend one point, where it was said by you in one of the Articles that "wee thought fitt," they should say that "it was thought fitt." They agree to it.

They did intimate that, before they could treat, they must haue their Lordships answeare concerning the Assistants. He prayes them to sett that point in writing.

Lord Lowdon.

They say that it is in their paper deliuered in this afternoone concerning the E. of Trequair.

To meet to-morrow at ten a clock.

My Lord Mandeuille hath the copie of this letter, therefore call for it.

A letter sent vnto His Majestie signed by the Lords conteyning the proceedings of this day,^a subscribed by all the Lords of the Session, wherein were enclosed the copies of the Scotch Lords Commission, and the paper concerning their exception to the Assistants and E. of Trequair.

This letter was sent by Mr. Palmes,^b at halfe an houre past seauen at night.

^a See it in Rushworth, as before, p. 1289, and in Nalson, i. 451.

^b "Mr. Francis Palmes, younger son of Sir Guy Palmes." Rushworth, as before, p. 1290.

My Lord
Wharton
hath the ori-
ginall, there-
fore call for
it.

An other letter sent vnto the King concerning the cessation of Armes, with a copie enclosed of the Scots demand concerning the same. Sent att nine at nigh[t] by Secretary Vanes packett.

RIPPON, Saturday, 3 October, forenoone.

The English Lords Commissioners present.

Diuers petitions of the Bishoprick, Newcastle and Northumberland, read to the Lords.

They say many men parti[cu]larly spoiled; dare not complaine least the Scots utterlye ruine them.

The petitioners retire.

Vpon a letter sent to the Lords from my Lord Conwey, dated 2 October, at Northalerton, the Lords discharged the partyes taken for spies, finding them to be seruants to the Scottish Commissioners.

Sir Richard Greenuill sent for by the Lords, and to bring with him the examination of Lieutenant Cromwell, who had misbehaued himselfe towards the Scottish Commissioners at Rippon.

The Earle of Warrwick, Lord Pawlett, and Lord Sauill, vpon whome I am to wayte in priuate, are to go to the Scottish Commissioners, and to lett them know from my Lords that diuers petition, of counties and townes in generall, and of priuate men in particular, of their grieuances, and to desire them to consider thereof, and to know what answeare they will make, and report the same vnto the Lords. And if the Scotch Lords require the sight of them to do so.

The foresayde Lords went to the Lord Lowdons lodging, where they found therein Sir Patrick Hepborne and Sir William Dowglasse.

Afte[r] hauing made them acquainted with the sum of the said petitions they left with him 5 petitions,^a *videlicet*, That of the Bishop and Clergie of the Bishoprick of Durham, of Northumberland, Bishoprick and Durham, of Newcastle; declaration of the towne of Newcastle; and of Tho[mas] Triplett, parson of Whitburne.

^b See Rushworth, as before, pp. 1271, 1272, and Nalson, i. pp. 440, 441, 444.

A passe for John Peeres, seruant to the Earle of Dunfermeline, to go from Rippon to Newcastle, with one seruant, and to retourne.

Dated at Rippon, 3 October, 1640.

Signed by Hertford, Essex, Warwick, Bristoll, Holland, Barkshire, Mandeuill, Wharton, Paggett, Pawlett, Howard, Brooke, Sauill, Dunsmore.

3 October.

In the afternoone about 6 a clock.

The English Lords Commissioners mett in the Committee Chamber, and the Kings letter in answeare to bothe the letters sent to His Majestie the night before was read.

The Earl of Trequair was present also.

The letter bare date 3 October, at Yorke.

The Superscription of His Majesties letter aforesaid was as followeth;—

“ To our right trustie and right wellbeloued Cousins and Councillors of our great Councill now assembled the Earles of Bedford, Hartford, Essex, Salesbury, Warwick, Holland, Bristoll, and Berks, and to our right trusty and welbeloued Councillors of our sayd great Councill the Lord Wharton, Lord Pagget, Lord Kimbolton, Lord Brooke, Lord Pawlett, Lord Howard, Lord Sauille, and Lord Dunsmore, at Rippon, these.”^a

E. Holland.

Moues to haue the Lords meet on Mōnday morning early to consult among themselues at 8 of the clock. [*Margin.*] Agreed.

The E. of Bristoll to haue the Kings letter and to prepare the businesse.

RIPPON, Sunday, 4 October, 1640.

Being Sunday, *Nihil.*

^a The letter is printed in Rushworth, as before, p. 1290, and in Nalson, i. p. 452.

RIPPON, Monday, 5 October 1640, forenoone.

The Lords mett at Eight in the morning.

The E. of Bristol.

His Lordship hauing prepared heads concerning the Kings letters, proposed;—

1. Concerning the Assistants, to lett the Scots know they are not Commissioner[s], but Assistants to advyce.

2. What unequall conditions they put the King unto if he may not appoint such as are versed in his affaires to giue advice.

The worke of the day, to proceed vpon the heads of the King's letter.

The King's letter speakes of a disbanding, to do what they can to put it home.

If they lay that aside, to take into consideration a cessation of Armes.

To consider what meanes how the Scots may be supplied during the cessation, but to put it to them to propound meanes.

To presse hard vnto them the disbanding of their Armie.

Heads to be proposed to the Scotch Commissioners this morning.

1. Concerning the safe conduct, to lett them know they shall haue any.

2. Then to propose vnto them concerning the Assistants, that they are not Commissioners, &c.

3. Propound a totall disbanding, and from thence to discend to a cessation.

4. The setting downe of all their demands vnder their hands: as touching their losses and maintenance of their Army, and how raysed.

A letter sent from Linne to the Lord Treasurer, concerning certaine ships at Newcastle, was read, and giuen me to keep vntill occasion should serue to call for it.

The Scottis Commissioners came.

E. Bristol.

1. Concerning the safe conduct during the Treaty, they shall haue it, as is desired.

2. Concerning the Assistants, to offer vnto them that they are no way Commissioners, nor to haue vote: but his Ma[jes]ties affaires of Scotland may suffer if they may not be present to advize.

It is vnequal for the King if he be denyed to nominate Assistants versed in his affaires to advize.

E. Barkshire.

No barre to the Scots Commissioners if they haue any thing to say against any man afterward.

Lord Lowdon.

They haue giuen their propositions in writing; they desire the same of the Lords, to haue their propositions in writing.

It is not an ordinarie way for a delinquent to sitt as a iudge, or as arbiter.

E. Bristol.

They sitt not as Judges or arbiters.

The Scotch Commissioners retire.

They retourne and desire the Lords answeare in writing concerning the safe conduct and Assistants. It was giuen them as followeth, subscribed by me.

“ To the proposition of the Safe conduct and freedome of the Postway; His Majestie is graciously pleased to grant the same during the Treaty.

“ Concerning the Assistants; That in regard of the unequall condition which is conceiued his Majesties affaires will be putt into if his Majestie should not make choice of such Assistants as he conceaueth best versed in them, we haue order to offer it to your second considerations, and to let you know, that the sayd Assistants are not any way authorized to conferre or treat with the Commis-

sioners of Scotland, nor to haue any voyce or vote in the debating or concluding of any thing, but to giue us a good vnderstanding of such thinges as can no other wayes fall under our knowledge. Rippon, 5 October 1640.”^a

Vpon which they advized priuately and returned.

The Scotch Commissioners retire and after a while retourne.

Lord Lowdon.

They read a replie in writing to the said two propositions before written, which was ordered to be giuen me.^b

They desire the Lords to answare their proposition formerly giuen in writing.

The Lords retyre and debate of the answear to be giuen them.

They resolute to put them vpon the debate of cessation and to propose vnto them a totall disbanding.

The Lords retourne.

E. Bristoll.

The debates of thinges to be in words, and by way of argument, but the results and conclusions to be in writing. [*Margin.*] Agreed by all.

E. Bristoll.

Moues that the Scotch Commissioner[s] would propose meanes to mayntayne their Army. The Lords Commissioners are to propose a totall disbanding.

Lord Lowdon.

It is a new proposition of disbanding, nor neer to any of their warrants; but they will consider of it.

But for mayntenance of their Army, they craue the Lords to take it into consideration, and will not presume to propose the wayes, and to make in [an?] answear to their owne demand.

^a Rushworth, as before, p. 1287. ^b Ibid. p. 1288.

E. Barkshire.

It is not within our knowledge to know the state of their Army, and therefore they best may finde the meanes.

E. Bristoll.

No answere to their owne proposition, but as generally agreed vpon on both sides. That they would propose the meanes.

They haue desired to bring in victuall from Scotland, &c. and to open trade: these meanes allready by them offered, and therefore to enlarge themselues.

Lord Lowdon.

The quantitie they may propose, but the meanes they leaue to their Lordshipps.

E. Bristoll.

Meanes from Scotland is in their owne power now the wayes are open.

Lords retyre to consider the King's letter read, to that demand concerning the mayntenance of their Army.

The Lords caused this to be offered them in writing :—

“ It is propounded vnto your Lordshipps that you giue a particular of all your demands under your hands. And especialy what you do expect for the losses which you pretend you haue sustayned. As likewise for mayntenance of your Army during the Treaty, and how you intend, or would advize, it should be rayسد, or satisfied vnto you. Rippon, 5 October, 1640.”^a

Lords retourne.

The proposition before said was giuen vnto the Scotch Commissioners, subscribed by me, and they take time to consider of it.^b

^a This proposition was in the very words of the King's letter to his Commissioners of the 3rd inst. Rushworth, as before, p. 1291, and Nalson, i. 452.

^b [Note in MS. partly erased]. “ *Nota*—My Lord of Bristow hathe the King's letter of the 3rd October to the Lords. I receaued it back.”

Sixe Lords appointed by the rest of the Commissioners to go and informe the King of all particulars debated and in question, *videlicet*: E. of Hertford, Salisbury, Bristoll, and Holland, the Lords Wharton and Sauill.

5 October, afternoone.

The Scotch Commissioners came to the Lords Commissioners.

E. Bristoll.

Desires an answeare to the paper deliuered before dinner.

They caused a paper to be read to that affecte, beginning "It is our desire unto your Lordships, &c."^a

The Lords retire to advize vpon.

1. Whether the demand of 40,000 a-month be peremptory, and they no power to treat and mittigate.

2. Whether all contribution and all char[g]es do not cease, if they receaue this their demand.

3. Whether if they haue free trade and meanes to bring in pro-uisions from Scotland, &c., the means not to abate.

In priuate.

The Lords retourne.

The paper read againe.

E. of Bristoll.

He is commanded to know whether their warrant be positiuie, or vpon debate they can abate.

Lord Lowdon.

It is positiuie; but if the lords will propose anything they will report it to their Commissioners.

E Bristoll.

This being positive they

The E. of Bristoll, by order of the rest of the Lords Commissioners, demanded of the Lords Commissioners of Scotland whether

^a Rushworth, as before, p. 1288.

their demand of 40,000 a-month were positive, or such as vpon debate and iust reason they might mitigate.^a

Wherevnto the Lord Lowdon, in name of the Lords Commissioners of Scotland, desired they might sett downe their answeare in writing, and therevpon retyred to consult thereof, and sent for the former proposition made by the E. of Bristoll to haue it in writing, which was sent them.

The Scottish Commissioners returne.

They read their answeare to my Lord Bristoll demands, in writing, beginning "As we haue, &c."^b

The Lords retire to consult thereof.

This to be represented to the King.

The E. of Bristoll is to shew vnto the Scots that they will report to the King, and that they will send to their Commissioners to haue further power to enlarge themselues in their treaty.

The Lords retourne.

The Lords intend to send some of their number to represent vnto his Majestie what hath passed, and to gett enlargement of their Instructions, and they to do the like if they see cause.

Lord Lowdon.

Whether anything will be done in the time the Lords are absent.

E. Bristoll.

Some thinges, as the answeare of the petitions, may be taken into consideration.

Lord Lowdon.

They thinke fitt to send the petitions to Newcastle, being matter of fact, where they may be best receaue answeare.

Sir William Dowglasse.

Desires to cleare himselfe of the imputation layde to his charge

^a "This entred by order and verbatim as it was spoken."— MS.

Rushworth, as before, p. 1289.

by those of Newcastle, and will make a relation under his owne hand.

Lord Lowdon.

Where the E. of Bristoll sayde their comming heither was accounted an inuasion, he desires to giue satisfaction.

Their Declarations shew the reasons, and they desire to giue all ciuill obedience to his Majestie, as may be expected &c.: nothing shall moue them to anything that shall be to the contrary.

He desires to giue his Lordship satisfaction, and present[s] some Declarations in print to that purpose.

E. Bristoll.

He will the Declarations to be layde vpon the table.

Whatsoever their owne nation hath giuen them cause, this nation hath giuen them none.

Inuasion nothing but comming in.

He speakes as the Commissioner to his King.

His hart goeth with peace, and he shall and hath contributed his best endeauours.

That heaviest [?] words may be passed ouer.

Lord Lowdon.

They take it no other then his Lordship hath expressed, and in his Lordships words.

The cause makes the Inuasion.^a

E. Bristoll.

Any comming in with an Army is an Inuasion.

Concerning their printed bookes, he makes a question, whether they haue power to receaue bookes, but will take them and certifie the King for informing himself.

^a The MS. looks like "Invasion on," but it would seem that the latter "on" is a mere repetition by mistake of the last syllable of the previous word.

RIPON, 8 October 1640.

Certaine of the Lords and myselfe ^a being gone to Yorke, the E. of Holland, by order of his Majestie ^b and in the name of the other Lords Commissioners, proposed vnto the Scotch Commissioners the transferring of the Treaty from Rippon to Yorke, and gaue a paper to that effect beginning, “*His Majestie in regard &c.*”^c

^a The Earls of Hertford, Bristol and Holland, with Lords Wharton and Savile, and Sir John Borough, the writer, as their Secretary, were the persons here alluded to. Notes of what took place on their visit to York, may be seen in Hardwicke's State Papers, ii. 241.

^b See Hardwicke's State Papers, ii. 241.

^c This paper is printed in Rushworth, as before, p. 1292. The Scottish Commissioners answered it immediately in a paper which is also printed by Rushworth in the same place. The answer is not noticed by Borough, who was absent, as above remarked, at York; but, as it is of great importance, and there are copies among the State Papers which correct several mistakes in Rushworth, we think it worth printing again from a MS. endorsed in the handwriting of Sec. Windebank:—

“At Rippon, the 8. of October 1640. No thing is now so [more?] hartily desired of vs and those that sent vs, then that the Treaty may begin timeously and ende hapily. This moved vs in our last proposition to desire .to knowe what your Lordships did conceive to be a competency for the maintenance of our Armie, and now after his Majestie is acquainted therewith, we desire to knowe his Majesties minde, that the armie being provided in a competet manner, and so much being made knowne to those that sent vs according to the instructions which wee have receaved from them, whoe make the maintenance of the Army previous to the Treaty, we may with all dilligence shew them his Majesties pleasure concerning the change of the place, and new power to be granted for concluding. And as we are warranted to give this answer, so will wee not conceale our owne thoughts aboute all this matter of the maintenance of the Armie, transferring of the Treatie to Yorke, and inlarging of our power. First, it is vniversally knowne that our Armie was stayed in their march by his Majesties especiall commandment, without which they might before this time either have bin better provided or farther advanced in their petitions and intentions; and that in hope of provision to be made this way, they are kept vp from taking such wayes and vsing such meanes as might serve for their necessary maintenance, which yet are not to say any burthen on the Nation or good people of England, whose weale and hapiness wee doe seeke as our owne and with whome we have determined (as we have declared) to stand and fall. But our meaning is, that necessary maintenance being denied to our Army, wee take ourselves to the Papists and Prelates with their adherents, the vnhapie instruments of all our troubles, charges, and hazards these yeares by past, who therefore in all equity ought to suffer in the same kinde. Next, wee cannot conceaue what daunger may be apprehended in our going to Yorke and suffering our selves and others who may be ioyned with vs, into the handes of an Armie commanded by the Lieutenant of Ireland, agaynst whome as a chiefe Incendiary, according to our demandes

RIPPON, 10 October 1640.

A paper was deliuered by the Lords Commissioners present at Rippon to the Scotch Commissioners signifying that the King's Majestie had required them to repayre to Yorke to treat of the maintenance of their Army. And that his Majestie desired the Treaty might be still kept on foot, beginning "*His Majestie hath taken &c.*"^a

This was deliuered to the Scotch Commissioners at Rippon, when some of my Lords and my selfe were absent at Yorke.

which are the subiect of the Treaty it selfe, wee intend to insist as is expressed in our remonstrance and declaration; who hath in the Parliament of Ireland proceeded agaynst vs as Traytors and Rebbells, the best tytles his Lordship in his common talke is pleased to honour vs with, whose commission is to subdue and distroy vs, and who by all meanes and at all occasions presseth the breaking vp of all treatyes of peace, as fearing to be excluded in the end; commaunded also by diuers Papists, who conceave our pacification to be their ruine and dessolation: and where there be diuers others our Godles and disnaturall countrymen doeing the worst offices aboute his Majesty, and waiting the occasion of expressing of their malice and revenge against vs and their owne Nation. Thirdly, the whole power of the Committie of Parliament cannot be transmitted vnto vs, and the want of power neither hath bin nor needeth it to be any hinderance to the speedy progresse and peaceable conclusion of the Treaty, since wee have already in the begining of the conference showne your Lordships what is the subject and substance of all our demaundes."

^a "Rippon, 10th October. His Majestie hath taken into his consideration the proposition concerning the maintenance of your Army at Newcastle duringe this Treaty, and for that end hath required us his Commissioners at Rippon to repaire unto Yorke to give him aduise concerning the same, which he doth for expeditinge of an answer, and with noe intencion to declyne, determine or delay the Treaty, for which cause his Majestie doth desire that the Commissioners of both partes might repaire vnto the city of Yorke, there to receive a speedy determinacion and answer after debate. And further to signifie vnto you that whereas you did intimate vnto his Majestie some apprehensions by reason of the person who doth command his army, His Majestie doth assure you that whilest hee is there himselfe in person, none doth command the army or shall be answerable for your safety butt himselfe, who hath already vnder his hand and seale assured the same vnto you, and of which you may be confident. And further his Majestie hath commaunded vs, to shew vnto you his great desire of keepinge this Treaty on foote, soe as if you shall mislike the remouall from hence to Yorke, wee are commaunded nott to remoue till wee did [do?] receiue further order from him."—*Domestic State Papers*, 10th October 1640.

RIPON, 11 October 1640.

A paper was deliuered by the Scotch Commissioners to the Lords at Rippon, in answere to their paper giuen them the day [before?].^a

RIPON. Wednesday, 14th October, Afternoone.

Present.

All the English Lords Commissioners.

E. Bristoll.

All our ends one; a happy accommodation.

They haue laboured.

Come with full power for maintenance of the Armie.

They haue a Commission; and desire to know theirs.

E. Barks.

One thing the King willed to informe.

They haue shutt the ports, which they themselues desire to be open.

This by Sir William Witherinton's information.^b

^a This Paper, which is mentioned again at p. 29, ran as follows: "Although we haue reason to regrate our staying here for so many daies vpon no other subject but the necessary maintenance of our Army, and at this, which is the tenth day, wee know nothing of his Majesties minde upon that point, yet are wee gladd that His Majesty is pleased to declare that hee hath taken it at last to his royall consideration, hoping now to haue his Majesties answere thereunto; and therefore desire, that as we haue receaued power to condescend vpon the competencie, so your Lordships may either make knowne his Majesties positius will, or receaue a full power to bring this matter to a wished conclusion, that wee may proceede to the Treaty. And although wee presume not to designe howers nor daies, yet wee trust your Lordships, vpon the remembrance of former delayes, will vse now that diligence that wee may bee able to make manifest to those that sent vs, that our long staying here hath not been to protract tyme, but for a reall accommodation. Concerning our going to Yorke, as wee did formerly shew that wee had noe warrant to goe thither, and did also giue reasons from our owne priuate iudgments against the conuenience thereof, soe are wee now vpon the signification of the motion made by his Majesty instructed by the Commissioners of Parliament to shew that for many reasons they thinke it not fitting to transferre the conference to Yorke."—*Domestic State Papers*, 11th October 1640.

^b See Hardwicke's State Papers, ii. p. 257. Sir William Widdrington was Recorder of Berwick.

Lord Lowdon.

Glad they haue power to treat of mayntenans; the[y] desire to see their power and will shew theirs.

The Post-way may not be op[e]ned perhaps, for they desired Mr. Secretary that all safe-conducts from Edenburgh, Newcastle and Rippon.

It beares they onely to haue passe that goes from their Commissioners heer.

E. Bristol.

They shall see the King's warrant to-morrow. Where they desire all thinges [in] writing, he hopes that it may be debated by both sides, and they to help to finde demands.

Lord Lowden.

They desire to haue an answeare in writing to thier demands last in writing, and then they will debate &c.

E. Bristol.

They shall haue it to morrow.

E. Barks.

Desires a sight of their new power.

Lord Lowdon.

They will declare to haue power, but excuse to shew it.

Agreed. That they shall, both sides, declare that they haue power without shewing it, for perhaps it contaynes instruction.

To-morrow they will meet at 8 in the morning, and enter into a way of free treaty.

Concerning the stopping of the Postway it shall be deferred till Mr. Secretary Vane [come?].

RIPON, Thursday, 15 October 1640, Forenoone.

Present all but the Earle of Essex, sick.

Their paper of the 12. of October deliuered by my Lord Mandeuale read, beginning "*If the King[es] Maiestie.*"^a

Then the Lords answeare, begining "*His Majestie is graciously &c.*"

Then their former paper of the 11. October; "*Altho we have reasonn.*"^b

E. Bristol.

Their former demand of 40,000*l.* so great that they should not haue treat[ed] if it were positieue.

Now they haue power to treat of a competencie they are content to debate it.

Lord Lowdon.

Their power enlarged to a competencie.

They expect from their Lordships what they thinke the best way, and what the competencie shall be.

If they will propose it, they will consider of it.

In all treatyes a Cessation of Armes.

^a A copy in the State Papers is thus headed: "The following was presented to his Majestie by the Lo. Mandevil from the Scotts: 12 October 1640, "If the King's Majestie bee graciously pleased to condescend to the maintenance of our Army, which of necessity must bee previous to all treatie and cessacion of armes, your Lordshipps would bee pleased eyther to bring his Majesties positieue will or power to your Lordshipps to determyne on the quantity, on the way of payment, and on the tyme, least the [*sic*] occasion more delays, whereof alreadie wee haue shewen to your Lordshipps the inconvenience."—*Domestic State Papers*, 12th Oct. 1640.

^b See it printed at p. 27.

All armies must be maintayned.
 Their Lordships to name a sum.

The Lords withdraw.

E. Bristol.

In private.

They haue deliuered their petition, and to that purpose brought an Armie; no use of so great forces.

Lett them that know their owne numbers propose the competencie.

Lett us putt them to nominate. They will aske high.

Reason[s] for moderation.

They are in a friends contry; they desire to haue their petitions answered.

To looke for a necessary competencie, and not to stirre vp friends to be enemies.

We cannot reyse money vpon the Countie without Parliament.

They will presse them to make the proposition and name the sum.

[*Margin.*] Agreed.

E. of Bristol.

That in issue, the competencie.

It grew from their motion vpon a Cessation of Armes.

That they would consider that their pretence of coming with an Army was to deliuer a petition.

The petition is deliuered, and we no[w] in a treaty and debate.

They are in a country of friends, and such as did neuer harme them.

Therefore, for necessitie onely and subsistencie, to propose their proportion.

We haue no power to rayse money without a Parliament.

We must treat with the Country.

They know the greatnesse of their owne Army, and the reasons to keep it together.

Therefore to think in a moderate way, and to fall to propose a fitt competencie.

Lord Lowdon.

They expected from the Lord[s] to haue fallen to the particulars.

E. Hartford.

Lett them iudge how vnfit for vs to name the competencie that know not their Armie.

Lord Lowdon.

They know what was agreed by transaction with North[umberland], Bishoprick and Newcastle comes to 5500 li. a month. This is so farr short of maintayning them, that had it not been for his Majesties command they could not haue stayed where they are.

They had all those Counties obliged by the Gentlemen.

They haue encreased their armie because the King encreased his, and therefore they sent for recrutes.

E. Bristoll.

If what they haue propounded, viz. 40,000 li., be the [sum of] a competencie, and 25,000 li. part of it, the Countie is not able to pay it; instances in the case of the Major of Newcastle.

They pretended at first they had prouisions of their owne.

They shall haue all passages from Scotland open, and trade.

They to thinke of their owne competencie, of Trade, of opening the ports, and thereupon to propound their somme. And being in a friends country not to presse vnreasonable thinges.

Lord Lawdon.

Though the composition had ben well payd it would haue been short.

For opening the ports, they are in that condition to make a convoy for bringing in prouision, and therefore opening the ports may make it onely more easie.

They could haue sent a convoy of 1000 horse to bring in prouisions from Scotland.

Their comming heere; to take [into consideration ?] what condition they haue been in for 3 yeare by the Kings prouisions in England and Ireland, and the prouisions they were put to make.

If they had come in hastily they could not haue [been ?] wanting.

They haue their obligation to repay.

Any thing the Lords can propose they will willingly harken vnto, and adde adminicles.

E. Hartfor[d].

It will sound ill to his Majestic and the Country that the Lords do offer a somme without being demanded by them.

It is onely for the first proposall, for they will roundly answeare to any reasonable proposition.

The answeare to their proposition deliuered the[m] by command, but not signed.

The Scots Commissioners retyre.

They retourne.

Lord Lowdon.

For a speedy accomodation they haue considered of their proportion. It would be as high as they haue demanded, but they will be as moderate as they can.

For *victus* and *vestitus*.

They will cutt off a fourth part, so it is 30,000 li.

E. Hartford.

It is fitt for the Lords to conferre with the Countrie gentl[emen].

Lord Lowdon.

They meane it in money, and it will be left in the Countrie.

E. Barks.

No answeare to one thing propounde[d] by E. of Bristoll, why they may not reduce their Army to a lesse number, since they may haue securitie to be safe.

Lords leaue that debate till afterward.

E. Bristoll.

When they are secured it may be they will [be] lessening.

Lord Lowdon.

It is destructiue to the proposition, being for subsistence for such an Army.

Lord Lowdon.

They will desire the Lords to think if Northumberland and Bishoprick be not able, how they may. [This passage afterwards struck out].

The Lords retyre.

E. Bristoll.

They say if they cannot live in one place they will live in another.

They will come with an Army able to obtaine their demands.

Not fall into the particulars of lessening their Army, but by way of inducement.

To offer them 20,000 li. a month.

E. Barks.

To speake with Mr. Treasurer,^a who knowes the country, whether they are able.

Mr. Treasurer.

Those fower Counties and Newcastle not able to pay that somme. No trade: but onely for a month, about 1,200 li. to be rayسد.

^a Sir Henry Vane, Treasurer of the Household.

They propose they will presently have money and not victualls, which they cannot do.

They speake of recruiting; so binde them from recruiting, and to have a Cessation of Armes.

Let nothing be knowen to them of anything out of the Counties.

E. Holland.

He supposes it is a proposition that the Counties heereabout will finde.

E. Barre.

Whether offer it without consulting with Yorkshire.

E. Holland.

It must be had, and therefore fit to be offered.

In private.

Lord Savill.

They will retire, and if they say they cannot accept it, whether you will offer more.

If you offer it, it must be found, and in conclusion it goes vpon all the Kingdome.

If they say they cannot accept it, we to propose vnto them our reasons, that we are their friends, neuer did them wrong.

To send to Newcastle to know whether they will receaue this with some of the countie.

In the meane time to treat of the other heads, and we to treat with the Gentlemen of the Counties.

Lord Saull.

Not to lett the Scots know of our Treaty with the Counties.

Lord Wharton.

Let it be proposed to be onely out of the Counties in danger.

E. Holland.

To consider, if they refuse the sum, to thinke what to do, con-

sidering the great danger of the Kingdom; but to giue them no resolution this morning, butt take into resolution to answeare^a in the afternoone.

Lord Pawlett.

To haue it proposed to be payde in money and moneys worth.

E. Bristoll.

To propose it ; that they out of their frugalitie first, and then out of the ieaousie of the English, they will lessen their Army.

To propose victualls to be accepted of.

Mr. Treasurer.

They vndervalue the opening of trade.

E. Warwicke.

A long time to send to the ships at London, &c. to go for coales.

Mr. Treasurer.

300 sayle of ships at Scarboroug[h] and nere that will go presently.

It is resolued not to offer anything this morning but to take time to consider and to answeare them in the afternoone. Agreed.

[*Margin.*]

E. Bristoll.

He moues that they will command him to speake as their seruant. That it may be a ground, that nothing may be written or spoken in the agitation to remayne.^b

The Lords retourne.

E. Bristoll.

It being impossible to giue a sudden answeare, they desire their Lordshipps to meet at three a clock and then they shall have an answeare.

^a Originally written "but to be answeared," and the last word omitted to be corrected when the passage was altered.

^b Part of the last word is struck out, but the sense seems to require it.

RIPPON. Thursday, 15 October, afternoone.

Present all but E. of Essex.

E. Brit. H.

They haue taken as much care as they can.

They finde the Countie[s] to be extremely exhaust[ed], not able to continue the former contribution.

The Lords will recommend the payment to the Parliament to be repayde to the Counties.

The Counties are willing to pay what they can in money, and the rest in necessaries.

They may haue victuals out of Scotland during the cessation.

The[y] come not in a hostile way, therefore they will use moderation.

The arere shall be payd.

When a Cessation of Armes is settled then no recrutes, but remaine *in statu quo*.

It will rayse doubts to the Countrie that they come in a hostile way.

Lord Loudon.

They leaue it to the wisdom of the Lords to rayse the competence.

They require a cleare answeare in writing of the somme, the day of payment, and the manner of payment, and who shall pay them.

The Scots Commissioners retire, and the English consult by themselues.

E. Barks.

To moue the Treaty together with the composition.

E. Berks.

It must be promised for two months.

Lord Brooke.

Who are we that do promise it shall be payde, and who shall pay if they breake? He conceiues the Lords are not to engage themselves.

E. Holland.

The Country gentlemen haue engaged themselves for one month, and desire the Lords to assist them for the second.

Mr. Treasurer.

The Contry gentlemen doubt they shall not be able for two monthes.

If you draw in vpon securitie the great Lords, they shall be able for the second month.

E. Bristoll.

If it cannot be don for two months, we must desire the King that his Majestie will use meanes to rayse it howsoever for the second month.

E. Bristoll.

There shall be the proportion of 850 li. a day proposed, for two months, to begin from the time of the agreement, and to be payd weekly. [*Margin.*] Agreed.^a

The Lords resolue to deferre the making up of a paper of their proposition vntill to morrow. [*Margin.*] Resolved.

The Scots Lords return.

E. of Bristoll.

The Lords haue taken it in consideration to giue the proposition in writing.

They desire to know the time.^a Weekly.

The gentlemen of Northumberland &c. being conferred withall, now they haue giuen them assurance by Parliament, they are willing.

^a Memorandum in the margin:—"By the month; 25,500 li. a month."

No doubt but they will performe.

Then, for their easement, the Bishops, Deane and Chapter, and papists, to be comprised in the composition, and to be admitted to haue their owne.

To giue securitie that upon their returne the Counties shall not be plundered when they retire.

Lord Lowdon.

This proposed, to sett downe a cleare answeare.

They desire to know the quantitie of the same.

They had the Bishops lands in their owne hands to pay themselves; besides the contribution.

E. Bristol.

The justice is that they, hauing taken the Bishops lands, yett that they hold them not in proprietie.

Lord Lowdon.

They desire the sum to be named.

E. Bristol.

Names 25,500*l.*

Lord Lowdon.

They had before 28,000 li. a-month, by condition. If they take a lesser somme, they shall make themselves worse then they were.

E. Bristol.

A good army to be maintayned with that sum, and sorry it should not be accepted of their good neighbours with much loue and kinde-nesse.

Lord Lowdon.

What the[y] haue done is vpon meer necessitie.

E. Bristol.

The sum offered is a very good contribution for a great Army.

Lord Lowdon.

A good contribution, but not a competencie.

E. Bristol.

We haue done all we can.

Lord Lowdon.

They cannot go lower.

E. Bristol.

The country puts themselves to the uttermost of their power, and therefore not.

Lord Lowdon.

When the payment shall begin ?

E. Bristol.

The arrere shall be payde, and to begin from the time of the agreement.

Lord Lowdon.

What securitie they shall be payde ?

E. Bristol.

They do now but anticipate the money, being encouraged to haue it repayed by Parliament.

M[r.] Treasurer.

They offer such a proportion and a way of repayment now.

E. Bristol.

The Commonwealth of England undertakes to be the paymaster to the Counties.

They are gentlemen of reputation.

They offer their band.

Mr. Wedderburne.

If they breake they shall be at libertie to take it.

E. Bristol.

It is reason for the particular men that do fayle, but not to the generall.

Mr. Wedderburne.

He desires for the time.

Mr. Treasurer.

These points hauing been debated, tomorrow the paper to be giuen by the English Lords, and the Scots to thinke of what to object.

Sir William Douglass.

They desire present maintenance.

Lord Dunsmore and the rest.

They shall haue their arere within these two or three dayes.

The English Lords to send them the writing of the contribution by to-morrow at eight. And the Treaty to go on vpon this agreement of the contribution. [*Margin.*] Resolved.

RIPPON, Friday, 16 October, Forenoone.

All the Commissioners present at my Lord of Hollands chamber.

I was commanded to read a paper which I was to carry to the Commissioners of Scotland, concerning the contribution, beginning:—"Whereas your Lordships propounded &c." ^a which being amended and agreed vpon I did by order of my Lords carry to the Scottish Commissioners, as a paper to be by them considered of, and that when they had taken deliberation thereupon and mend[ed] any thing therein (if they saw cause), the Lords Commissioners would giue them meeting at the usuall place whensoever they should assigne the time.

They sent word they could not come vntil 2 in the afternoone.

At the same place all the Lords Commissioners being present was read the Additionall Instructions of His Majestie of the 15. of October, dated at Yorke, and sent to the Lords beginning, "*Additional Instructions for my Commissioners, &c.*" ^b [*Margin.*] My Lord of Bristoll hath the Originall.

16 October, Afternone.

Lord Lowdon.

They excuse their backwardnese in comming.

They understand from Newcastle, by the actions of Papists, that withdrew their transaction and maide a new contract with others, some others of the towne of Newcastle are gone out vnto the Papists.

The Mayor of Newcastle at libertie.

^a There is a copy of this paper among the State Papers, and it is printed in Nalson, i. 454.

^b We have not found any copy of these "Additional Instructions," unless they be comprised, as we rather suppose, in the paper entitled "Remembrances for the Lords the Commissioners to put them in minde of such things as have fallen into debate about the demands of the Scots for the maintenance of their Army during the Treatie." There are several copies of these Remembrances among the State Papers, and they are printed in Rushworth, as before, p. 1297. See also respecting them Hardwicke's State Papers, ii. 276—279.

They acknowledge the favour of his Majestie in deliuering a gentleman, Louchtour, at Barwick, who is come to Newcastle. Some time after the warrant for his discharge detayned vpon refusall to take the oath of alleageance.

I red our paper beginning, "*Whereas your Lordshipps propound[ed] &c.*"^a

Their Clerke reads their paper in answeare to ours, beginning "*As with all due respect.*"^b

The English Lords retyre to consider of the paper.

E. Bristoll.

Not to encrease the somme, for it will encrease their Army, which is fearfull to the Kingdome, to pay after 300,000 li. a yeare.

All Lords.

In priuate.

They will not agree to encrease the some of 850 li. per diem as it is offered. [*Margin.*] Agreed.

E. Bristoll.

To haue the contribution for two moneths beginne from this day, not from the first of October.

They haue the arrearages, and therefore may not stick vpon it to begin now. [*Margin.*] Agreed.

Lords.

Not to grant coale and forrage. [*Margin.*] Agreed.

Not to grant victualls and other necessaries to be custome free.

^a See before, p. 41.

^b Printed in Rushworth, as before, p. 1299, and in Nalson, i. 455.

E. Berks.

We shall make that certaine which is now by plundering, and so the sooner will starue their Army.

Mr. Tre[asure]r.

To adhere to our first paper.

E. Bristol.

We adhere to our paper, but being upon a treaty we must giue reason of our denyalls.

We are not able to go any further.

For forrage and coale there will be no limitation, and therefore will be a loope hole to gett out at, and vnder that pretence great proportions may be taken.

In priuate.

Mr. Tre[asure]r.

They looke for securitie, such as shall like them, which they had not before.

E. Bristol.

If they will encrease their Army, we must not giue them money to mayntayne it.

Mr. Treasurer.

The arreres to be payde in; but they to giue the country securitie, as they haue promised.

E. Berks.

Great differences betwine payin[g] back 50,000 li. and to haue it free.

Lords retourne.

E. Bristol.

Lord Mandeuil reads a paper roug[h]ly drawne by himselfe by advice and assent of the Lords.

“First,” beginning, “*concerning the 850 li.*”^a

Adheare to our former.

No forrage and coale, but the Army to be prouided for money.

The day of payment to be 16. October, no way preiudiciall vnto the Scotish Armie.

Opening of the Ports granted, but no Ammunition to be brought in.

Lord Lowdon.

Desires to know the securitie.

E. Bristol.

They will before they part from them giue such securitie as they themselue[s] shall not accept (*sic*) against.

But if they will propound they will willingly heare.

Lord Lowdon.

They will take the Lords securitie.

E. Bristol.

Commissioners neuer taken to be bound.

Lord Lowdon.

The Gentlemen of the Countrie, one to be bound for an other.

E. Bristol.

If the principall Gentlemen of the Counties will be bound for the payment by band.

^a A copy among the State Papers. Printed in Rushworth, as before, p. 1298, and in Nalson, i. p. 456.

Lord Lowdon.

Whether Mr. Secretary will be bound.

Lord [sic]

No reason.

Lord Lowdon.

They desire to see their securitie, being preuious to the Treaty.

E. Bristoll.

They are about to endeauour it with all possible speed.

Euer[y] man bound in a bond heer is bound *in solido*.

They will send them this paper to night.

Mr. Henderson.

Our ends all one. We both endeauour peace.

First, their coming heer with an Army.

Our offere to maintayne their Army.

We haue the aduantage, for better to giue then to receaue.

He desires the Lords to go on.

The Lord can remoue mountaines.

E. Bristoll.

The Lords will see it secured vnto them.

RIPON, Saturday, 17 October, Forenoone.

The Lords Commissioners mett the Scots Commissioners about ten in the morning, where the Scots read a paper rough drawne of ther acceptance of the 850 li. *per diem*, &c. beginning "*Our constant desires &c.*"^a which afterward they sent vnto me engrosed and subscribed by the Clerke.

This morning about 11 of the clock, the Earles Hartford, Bristoll, and Holland, and the Viscount Mandeuile, departed from Ripon

^a A copy among the State Papers, and printed by Nalson, i. 456.

towards Y[ork] to acquaint the King with what was done, where [they], attended by me, arrived about 4 in the afternoon, and then the Great Council met.

RIPPON, Saturday, 17 October, Forenoon.

Present.

They read a paper in answer to our last delivered 16. beginning,
 “ *Our constant desires &c.*

They will except [*sic*] of the 850*l. per diem.*

Lord Lowdon.

As concerning coale, all Armies have firing allowed them.

Coale shall not be taken by discretion of the souldiers, but by order of the officers.

Great store of coale there, and therefore insensible. Like Tantalus, in Newcastle, where so much coale is, and they to have none.

E. Bristoll.

If Newcastle, shall lessen their meanes to raise money; but by their coale.

Lord Lowdon.

It shall not hinder the Inhabitants one penny; there are many coales in the fields which no use is made of.

E. Bristoll.

It is best not be spoken of.

Mr. Henryson.

For forrage, reason that it should be had for money at reasonable prices.

E. Bristoll.

It is reason. The Country to in[gage] and to agree for so much.

Second Article read.^a

They accept the time of payment, to begin from the 16. October, and so go on.

Lord Lowdon.

The Cessation during the Treaty onely.

The ships of Scotland at Newcastle after the Treaty might be seased; they desire that to be cleared.

That those ships that come in during the Treaty shall not be stayed there after.

Mr. Henryson.

Desire that prayers against them as Rebels may be foreborne during the Treaty.

The E. of Hartfo[r]d, Bristoll, Holland, and Vis. Mandeuil, myselfe attending them, went to Yorke at ten in the forenoone.^b

We returned to Rippon Munday 19th, at one in the Afternoone Munday.

18 October, 1640.

Answere framed in the Great Councell of the Peers at Yorke which the Lords Commissioners were to giue the Scots beginning "*The answeare that the Lords Commissioners &c.*" This was giuen them the next day.^c

^a That is the second article in the Agreement for maintenance of the Scottish Army, which bore date on the 16th inst. There are several copies among the State Papers, and it is printed in Rushworth, as before, p. 1295, and in Nalson, i. 457.

^b "See Journall of Yorke 17 & 18 of this month." This is the Journal printed in Hardwicke's State Papers, ii. 279-290.

^c See Hardwicke's State Papers, ii. 290, for the circumstances under which this Answer was prepared. It ran as follows:—"Sundaie the 18th of October 1640, afternoone. The Answer that the Lords Commissioners are to give to the Commissioners of Scotland concerning the Securitie to be given for the Competencie. That wee haue spoken with the principall gentlemen of the Countrie, who very confidently assured vs both of their wills and abilities to make the first monethes payment. And that there is likewise a particular

Monday, RIPPON, 19 October. Afternoone.

The lords at my Lord of Hollands lodging called the Gent[lemen] of Northumb[erland], West[moreland], Cumb[erland], and B[ishopr]-ick before them.

Where my Lord Bristoll shewed them the danger.

Sir William Howard.

Shewes the disabilitie of the Countrie. Yett [*sic*].

His father left his stock for legacies to his uncles[?]; but for his tenants, they shall pay their rate; yet requires a little time to consider.

E. Bristoll.

They will write a letter to the Committee at Yorke that the gentlemen haue been heer, and that they have remitted them to their Lordshipps.

And that fower of euery County shall be appointed for the rest of their neig[h]bours to treat. This was granted at the motion of the Gentlemen.

Scotch Commissioners meet with the Lords at 4 in the afternoone.

E. Bristoll.

The securitie of the competencie recommend[ed] very effectual; to diuers Lords.

The paper read to that effect of the 19 October 1640 beginning, "Wee haue spoken &c."^a

Committee of the Lords for the settling of the payment of the second Moneth; which we noe wayes doubt but in very fewe daies wilbe so ascertained as wilbe to your full satisfaction; whereof wee will likewise haue an especiall care. There is likewise appointed a speciall committee of the principall persons of these countries to take a care of the effectuall performance thereof from tyme to tyme." *Dom. State Papers*, 18th Oct. 1640.

^a This it will be seen is the answer given in conformity with the direction of the Council of York, printed at p. 47.

He moues that the Bishop of Durham may returne home to help, &c. Now they desire the Treaty to begin. Next to diminish their Army. The competencie will [be] the better.

A second paper was then also delivered vnto the Scots Commissioners beginning, "*My Lords, The Peeres.*"^a

RIPON, Monday, 19 October 1640.

Mr. Secretarie had these letters signed, and I haue no copie, but promised by my Lord Keeper.

The letter to the Citie of London for expediting the payment of the money, brought in by Mr. Secretary and read, beginning "*By our letters of the five and twentieth.*"^b And another to the E. of Manchester and other Commissioners formerly sent, beginning "*The great streits, &c.*" both dated at Yorke, the 10 October.

Also a letter from the Lord Keeper recommend[ing] the foresaid letters to the Lords Commissioners, and shewing what the Gentlemen of the Counties sayd, begining "*This day diuers gentlemen.*" Dated Yorke, 19 October.

The Scottish Lords retourne.

They read an answere to the two papers beginning "*We make no question &c.*"^c

The English lords retire to consider of the paper, and retourne.

E. Bristoll.

The particular replie the Lords will returne in writing to-morrow. In the mean time, by discourse to understand one another.

^a 19th of October 1640. Second paper deliuered to the Scottish Commissioners. "My Lords, The Peers having taken into their care the settling and ascertayning of the competency agreed vpon as your Lordships vnderstand, it is now his Majesties desire that wee may fall to the mayne treaty. Wee doe likewise hold it fitt to propound vnto you the diminishing of your Army, both for that it will remoue the doubts of this kingdome, and wilbee a reason that the competency agreed vpon may the better satisfie your Army, that disorder may bee preuented, which may otherwise be occasioned by want."—*Dom. S. P.* under date.

^b Printed in Rushworth, as before, p. 1302, and in Nalson, i. 459.

^c Printed in Rushworth, as before, p. 1296. There is a copie among the State Papers under the date.

Lord Lowdon.

No arreares payd.

E. Bristoll.

They will send letters to the gent[lemen] if they haue not payde the arreares, for they promised it last weeke.

Opening of trade; it is condiscended unto for all but armes and ammunition.

Concerning the securitie; they went to Yorke and haue endeauoured it.

Money being in diuers mens purses, must haue time and method to bring it together.

The King nominated diuers persons of note to go in the Country to ascertain it.

Bishop of Durham gone.

We do not seuer the monthes, but the first being payde the next shuld follow.

If they can finde other meane[s], the Lords will willingly harken unto it.

Lord Lowdon.

The answeare they made according to their necessitie.

The performance will require time and retarde the Treaty.

The point that sticks is the securitie that it shall be payde, though at far dayes.

E. Bristoll.

In few dayes there will be payment, and bands of the Countrymen will be giuen.

Sheriffe of Tiuidale.

That the names of the principall men of the Counties may be giuen them, they perhaps know them and will accept of their securitie.

E. Bristoll.

The gentlemen shall come to them and will offer their securitie. And you shall haue the list of their names.

Monday, RIPON, 19 October. Afternoone.

E. Holland.

The Gent[lemen] do assure they will pay it; they are gone about it.

E. Bristoll to Mr. Henderson.

Were it not a great misfortune that two brother nations upon punctually [punctilios?] should be in armes, &c. We desire no conclusion but to open the treaty.

Mr. Henrison.

Since his speech directed to him, his intention is to make peace.

He assents to his Lordships motion.

If the two Kingdomes should clash, it may—How can we satisfy those that sent us, but shewing that securitie is giuen? They require their Lordships promise.

E. Bristoll.

It is impossible for my Lords when they are gone to take the care of thinges heer.

The Lords of the Country are gone about.

Mr. Henrison.

Since your Lordships are confident that it will be done, why should not you giue securitie?

E. Bristoll.

It is strange and unusual for Commissioners so to do.

Lord Lordon.

It is their desire that the Treaty may go on.

E. Bristoll.

They haue a good pawne, the Counties in their hands.

Lord Lowdon.

They are vnwilling to use their power.

The gent[lemen] might haue giuen securitie in this time.

The gent[lemen] to be obliged, though the payment be not present.

E. Bristoll.

Though they do not use their power, yet the gentlemen are liable to the payment.

The Lords take time to make a formall answeare vnto the Scottish paper, untill to morrow.

RIPPON, Tuesday, 20 October 1640. Forenoone.

The Earle of Bristoll hauing drawne an ans[w]eare to the paper of the Scottish Commissioners beginning "*We make no question &c.*" deliuered the day before. The same draught was now read in a full assembly of the Lords Commissioners, at my Lord of Hollands lodging, and being agreed vpon with some amendments, I was commanded by their Lordshipps to carry it to the Scottish Commissioners, which I did, and deliuered it to the Earle of Dunfermelin, beginning, "*For the securing &c.*"

The gentlemen of the Bishoprick, Northumberland and towne of Newcastle, were appointed by the Lords Commissioners to speake with the Commissioners of Scotland concerning the securitie to be giuen for the maintenance of their Army.

The Scottish Commissioners sent word they could not meet till three in the afternoone, hauing receaued letters from Newcastle which they were to take into consideration.

RIPPON, Tuesday, 20 October. Afternoone.

The Scottish Commissioners came to the Lords after time.

They read our paper giuen them this morning. And a second

deliuered to them by the gentlemen of Northumberland, Durham, and Newcastle. A third beginning, "*We haue considered your Lordships answere, &c.*"^a

Mr. Henrison.

It will be expected that something may be done by so great a counsell.

He desires the opening of the ports, in the meantime.

[*Margin.*] They meane by their Demands those which they presented to the Lord Lanerick in his letter.

The Lords Commissioners retyre to consult of their paper.

E. Holland.

Desires that the gent[lemen] of the Counties to be called to speake before the Scottish Commissioners.

To shew what they endeauour.

They [*sic*] Lords thinke not fitt to call them before the Scots Commissioners, least they might fall to new propositions and excuses,

^a "Wee haue considered your Lordships answeres to what wee did last present, and haue receiued informacion, first by conference, and next by write from some of the principall gentlemen of Northumberland and Durham to whom your Lordships did refer vs, concerninge their willingnesse and abilities for securinge the maintenance of the Army. Wee finde the gentlemen to doe according to their own partes. But neyther doe they binde for the arreares, nor doe they undertake for others, nor speake they of more then one moneths pay, nor doe they designe the day for procuringe the act of consent of the said counties. And therefore if your Lordships conceaue that noe more can possibly be done for our security, wee desire that this and all the other preparatory artickles soe long insisted on may be collected and seen in one view, that being altogether considered by vs, and wee haueinge represented them to those who sent vs, if in reason they can giue satisfaccion, wee may accordinge to our common desire enter upon the Treaty. And if your Lordships haue conceiued any further possibility of satisfaccion, which wee heartily wish, it may be made knowen vnto vs. In the meane while, least any more tyme, which is now soe precious, by reason of the approachinge Parliament, bee lost, wee are most willinge to cleare our proceedinges and demaundes for your better informacion, that nothinge be left vndone by vs which may serue for a wished and happie conclusion. Rippon, 20 October 1640." *Dom. State Papers*, under date.

but that the Lords will call for them after the Scottish Commissioners are gone. [*Margin.*] Resolved.

The Viscount Mandeuile, Lord Wharton, and Lord Sauill to view the former papers and draw Articles of the Treaty.

The Lords retourne.

E. of Bristol.

He desire[s] the Lords to helpe.

The things we haue yett done, in loose paper. All now to be brought into Articles.

[1.] Two or three of theirs and three of ours to draw up the Article, and to be sett together.

2. The second, the opening of the ports.

Now by a consent to treaty, we will write to the K[ing] to open the ports.

3. Concerning the maintenance, the 2. [second] month is in as great care as the first, and so desire them to understand it.

4. Mr. Henrison, at our going to Yorke, that the prayers mentioning Rebels and traytors [may be withdrawn].

His Majestie hath declared so soone as the Treaty is entred into they [*i.e.* the Ports] shall be opened.

Now the Lords will write unto the King.

But they must enter into the Treaty, else the King will not open the ports.

Lord Lowdon.

1. He is content that two of theirs may ioyne to drawe preparatives.

2. They hope their Lordships will be carefull of the opening the ports.

Concerning the securitie offered by the gent[lemen], is of that nature that for the first month they offer but their securitie for themselves, and for the second month nothing at all. Yett they will informe to their Committee how the state stands.

For the rest they will go on.

E. Bristoll.

That they will write and represent the Articles to their Committee, and gett new powe[r]s, for if they haue not power to go to the Treaty the King will not open the ports.

Lord Lowdon.

They will propound all to their Committee and receaue their order and resolution.

If they shall giue all they offer it is no securitie.

E. Holland.

At Saturday by 10 a clock they will bring an asured order what they will do, and what securitie they will enter unto.

Lord Lowdon.

Concerning the Articles of what is past.

That they for their part, and we for ours, may gather what hath been demanded, and then to meet and put them together.

RIPON, Wednesday 21 October, 1640. Afternoone.

The Commissioners on both parts meitt, all being present.

Then the Lord Mandeuile read a paper of Articles, beginning (*blank*), which were argued on both parts as occasione was offered in the reading.

The Scottish Commissioners desire to consult of the paper of Articles, and retyre.

The Scottishe Commissioners retourne.

Lord Lowdon.

Some words altered.

Article 1. "Allowed" changed into "left."

"In case if the Treaty shall last so long," it being in their paper, "vntill our peace shall be secured by Parliament."

5. Necessarie coales not to be taken at the discretion of the Souldier.

7. "Into Newcastle" put in, which was left out.

Lord Lowdon.

Concerning the securitie it seemes to [be] lesse then it was before.

Mr. Wedderburne.

Whether it shall not be taken as a breach if they send out parties to take the arreares, if they be not paid, from those that refuse ?

Lord Lowdon.

The[y] desired the ports may be opened.

E. Bristoll.

It must be vpon the entrance into the Treaty, and therefore to make some entrance to-night.

Lord Lowdon.

They require to haue the gent[lemen] to giue securitie.

Mr. Henryson.

Suppose there be no payment at the day, to whome shall the Army repayre for satesfaction ?

E. Bristoll.

Besides the Committee at Yorke that take care concerning it,

besides, some gentlemen shall be appointed to haue speciall care of it in absence of the Lords.

The English Lords retire to consider of the Amendments
and retourne.

E. Bristol.

The King hath sent them positiue order that the ports are not to be opened vntill there be an entrance into the trea[ty].

The words "left vnto them" to be put out, and the sence is good.
[*Margin.*] Agreed.

Lord Lowdon.

Moues that the transferring of the treaty to any other place shall not be interpreted as an end of the Treaty, but that it be esteemed as continuant. [*Margin.*] Agreed.

E. Bristol.

Having written this day that by reason they hope to enter into the treaty this afternoone that the ports may be opened. And therefore desires they will begin the treaty by propounding their demands.

Lord Lowdon.

Concerning the Cessation of Armes, they haue certaine heads sent vnto them.

They read them.

1. If they be denied prouision at reasonable prizes, it shall not be a breach if the[y] take it, paying for it.

2. If there be any fayle of payment of the money, that it may be no breach if they take prouisions for it.

3. That their ships, if any be now taken, may be restored.

4. That the Country shall not be left wast.

5. That they shall not passe limitts on either side.

6. [*Left blank.*]

E. Bristoll.

Desires them to sett downe the heads of the Cessation, they will consult of them with some officers of the Army.

To begin now to propound their demands.

Lord Lowdon.

The subject of the treaty was contayned in their Act[s] of Parliament, printed Declaration, and letter to the Earl of Lanerick, and their petitions.

The demands may be now read.

Mr. Henrison.

Moues the Clerke may write nothing during the agitation of their demands.

E. Bristoll.

Nothing they write can be obligatorie.

They read the Copie of their letter to the Earl of Lanerick, concerning their demands; 8 October, 1640.^a

E. Bristoll.

Some of the Demands concerne England and some Scotland; therefore to chose out some such as may be debated.

The first and second only concerne Scotland.

The taking of the oaths concerne England.

The Incendiaries may concerne both.

To name to night which they will beginne withall tomorrow.

They to sett downe the heads of the Cessation of Armes. And wee will do the like, with advice of some of the Army.

^a See before, p. 5; but the date was the 8th September, not October, 1640.

Thursday, 22 October. Afternoone.

The Lords sent a letter in answeare to the Lord Keeper's ^a letter of the 21., which was sent by Sir Peter Kellegrew, halfe an houre after eleauen.^b

E. Bristoll.

Relates what the E. of Lanerick sayde vnto him concerning a report of his negotiation with the Scottish Commissioners.

The Scots Commissioners meet with the Lords.

E. Bristoll.

Declares that the King will open trade upon the Cessation of Armes.

They are heare as Commissioners to the K[ing], to heare what they can say, which they will faythfull[y] represent unto the King.

^a John Lord Finch of Fordwich, who received the Seal on the 23rd January 1639-40, on the retirement of Lord Coventry.

^b The Lord Keeper's letter here alluded to was an answer to a letter or report addressed by the Commissioners to the King on the same day (21 October, 1642), in which they had pointed out to His Majesty that there would be a necessity for them to undertake their journey towards the Parliament. They therefore suggested that the Treaty should be transferred to London, and that there should be a present opening of the Ports. (Rushworth, as before, p. 1303, Nalson, i. 461, and copy of letter and signatures among the State Papers.) By the Lord Keeper's letter of the 21st, it was intimated that the King and the Lords of the Great Council held it most necessary that a Cessation of Arms should be agreed upon before the King departed from York, or the Commissioners from Ripon, and that upon such Cessation, and not before, the Ports should be opened. The King's Commissioners were also to procure the Scottish Commissioners to deliver particulars of their demands in writing, so that it might be fully understood what they expected, and especially in point of satisfaction for their costs and damages. This done, the King and Lords would consider the adjournment of the Treaty to London. (Rushworth, p. 1304, Nalson, i. 462.) Such an answer, offering a long anticipation of debates on the Scottish demands, and keeping the Commissioners at Ripon whilst the new Parliament was sitting at Westminster, was anything but agreeable to the Commissioners, who instantly replied by their letter alluded to in the text. A copy of it exists among the State Papers, and, as it has not been printed, we shall introduce it into the Appendix.

Lord Lowdon.

There was agreed that vpon a Cessat[io]ne there should be a competency for the maintenance of their Army. This as necessary to be joynd with the Cessation, as the opening of the ports. The securitie being not yett come.

E. Bristoll.

In your paper of the 20th October you offered to enter into the debate of your demands for sauing of time.

To propound the particulars of their costs and charges.

The Scots Commissioners retire to consider of an answeare and retourne.

Lord Lowdon.

They haue considered of the proposition, and are most willing to bring all to a happy end.

Their demands were preuius to the treaty. Till they haue securitie and answeare from Newcastle, they cannot giue a conclusiue determination concearning their losse and damages, and not [*sic*] first shew the iust causes that hath brought them to it: it will not be taken ill if they shew the condition they were in, and what condition they are now brought unto.

E. Bristoll.

Themselues to choose the heads of what they will insist uppon.

Lord Lowdon.

The[y] desire the reading of their first petition to the King sent from Newcastle.

They read the petition, beginning "*That after our many sufferings, &c.*"^a

^a Printed in Rushworth, as before, p. 1255, and in Nalson, i. 432. A manuscript copy with some verbal differences exists in an entry-book of papers relating to this period, placed among the State Papers, under the date of 5th September 1640.

Then the preamble to their acts, late made in Parliament beginning "*We Barons, &c.*"^a

Lord Lowdon.

The cause of their troubles the innouation of Religion and Lawes.

Popery abjured by King and Kingdome.

Bishops first introduced restrayned by the Acts of the Assemblie.

The[y] should haue no more iurisdiction then other ministers.

They came and tooke their order[s] in England.

After had been brought in, the[y] streng[t]hened themselues with an High Commission, and did diuers exorbitant thinges.

They got in fiue ceremonies into the Church.

The[y] put ministers from their ministry.

They after would bring in the Seruice Bookes, and Mr. Henrison charged under rebellion to bring in the Seruice Booke.

They made petitions to the Councell.

The first answeare was Proclamation of, vnder paine of rebellion, not to meet and insist on their demands any more.

Bishops cause of all their euills.

The Marq. Hamilton being Commissioner rose from the Assembly at Glasgow.

The King brought with an army against them.

They petitioned humbly by my Lord Dunfermelin.

They wrote to some of the Lords to mediate for them.

Vpon that mediation they were admitted to treat at the Camp.

They agreed to the Articles.

Yett the Castle of Edenburgh put in the hands of others.

They will giue to euery one of the Lords a Declaration whereby the whole passages of their proceedings will appeare.

They desire that the Lords will peruse their Acts of Parliament, and they are ready to cleer any doubts.

^a There are several copies of it among the Domestic State Papers.

E. Bristoll.

Whether there be any bookes printed contayning the objections against the validitie of the Acts.

Lord Lowdon.

Himselſe and others ſent to the King to ſhew the reaſons of their Acts, and anſweare all objectiones. The King requires all to be giuen in writing.

The English Lords retyre.

All that my Lord of Lowdon hath deluſered is a deſire that the King will ratifie their Acts of Parliament.

To looke upon their Inſtructions what to anſweare.

In priuate.

E. Holland.

They ſay that there was none to adjourne or diſſolue the Parliament for the King.

E. Bristoll.

Some of the Acts the King will ratifie, but by an other way. And therefore to lett them know that it is for their greater aduantage to haue them confirmed by the King in his way. Therefore this to be layde aſide for a time, and to go on with the conſidering of the particular Acts, and, being agreed, to propound the way of ſecuritie: it being better for them to haue them ratified by authoritie that is unqueſtionable.

The Lords retourne.

Earl of Bristoll.

A great deſire of both ſide[s] to expedite the buſineſſe. The buſineſſe and validitie of the Parliament they do not decline. He moues that without the declining of any thing either of the

Kings or their part, to go to the particular head of their demand, and afterward to resume the validitie of their Parliament.

Lord Lowdon.

They will answere any objection shall be made for their Lordships information, but not draw in question the validitie of their Parliament.

E. Bristoll.

Nothing now sayde to be conclusiue, but by way of debate to cleare and facilitate the future treaty.

The case is. You demand the confirmation of all your Acts. We should object;—such an one the King grants, and such he makes difficultie to grant.

We haue made this night an entrance.

It is agreed that nothing in debate, or which is interlocutory, shall be conclusiue or obligatory, but onely the results which shall be agreed upon by both parties and exprest hereafter by mutual consent in writing. [*Margin.*] Ordered.

The Lords Commissioners receaued a letter from my Lord Keeper late at night, by Sir Peter Kelligrew, touching the adjournement of the Treaty to London, beginning, [*not inserted.*]^a

RIPON, Friday, 23 October. Forenoone.

The Lords sent an answere to the King of my Lord Keepers letter receaued yesternight, touching the adjournment to London, beginning, [*not inserted.*]^b

^a We have not found any copy of this letter, but its tenor sufficiently appears in the answer alluded to in the next paragraph.

^b Not printed in Rushworth or Nalson. The following is from a copy among the State Papers. “May it please your Majestie. We have receaued a lettre from the Lord Keeper wherein hee expresth that your Majestie wilbee pleased to transferre the Treaty with the

Another to the Lord Keeper in answeare of his, beginning,
[*not inserted.*]^a

Afternoone.

The Lords mett with the Scottish Commissioners, and debated
the Articles of the Cessation.

RIPPON, Saturday, 24 October, 1640, Forenoone.

Commissioners all mett.

E. Bristoll.

Now we haue gon through the Articles,^b that now we may go to
the Cessation of Armes.

The Scots retyre and retourne.

Lord Lowdon.

They haue studded to go on as farre as they can, though
the difficulties haue not made the securitie answeareable to their
expectation.

Scots from this place to London, if wee shall see advise, and that your Majestie expects us
tomorrow at Yorke. For which wee returne your Majestie most humble thancks, and
further it is our vnanimous advice, that it will most conduce to your Majesties seruice see
to doe. And therefore wee most humbly beseech your Majestie that you would bee pleas'd
to giue vs power and directions to treat and settle with the Scotts all particulars belong-
ing to the said remouall, wherby wee conceaue much time wilbee saued and the proceeding
in the treatie for the future put into a certayne way. If wee may receaue your Majesties
pleasure herein this night or early in the morning, wee shalbee able to giue your Majestie
an account of this as of your other affaires when wee shall haue the honour to waite upon
you. God haue your Majestie in his holy keeping. Your Majesties most humble and
most obedient subjects; subscrib'd by all the 16 Commissioners. Rippon, 23 October
1640." (Domestic State Papers, under date.) In their letter to the Lord Keeper, the
Commissioners urged him to expedite the directions they desired to receive from the
King. If delayed, they would be unable to reach York on the morrow, which would
fall out very prejudicial for their journey to London. (Copy. Domestic State Papers.)

^a Printed in Rushworth, as before, p. 1395, and in Nalson, i. 462.

^b *i. e.* for Maintenance of the Scottish Army mentioned again in the next note.

Therefore they desire the Articles agreed upon the 16th of October may be read, which was done, beginning, "*First, that the Scottish Army &c.*"^a

The Difficulties.

The arreares amounteth to 15,000 li. ; no probabilitie of payment.

The bad haruest makes them unable.

Not 500 li. payde,

The people cannot subsist and the payment made.

If they should be concluded, and bound, and they enforced to breake out, it would make the matter worse.

That the Lords will name the adjacent counties, that what is wanting may be taken in those bounds.

The Lords Commissioners retyre.

The gent[lemen] of Cumberland and Westmoreland are already prepared to come into contribution.

inate.

A letter written to those Counties, and this to be showne unto the Scots Commissioners.

They have already called the gent[lemen] of those shires, Sir Patricius Curwin, Sir George Dawson, and Sir Phillip [Musgrave?], and are now writing a letter which my Lord Wharton read, beginning, [*not inserted.*]

E. Bristo[ll.]

D-
im.

To add to this, they will procure the strenght of the Great Councell of Yorke.

They will engage themselues to endeauour all meanes at London with the Parliament, to see it performed,

They did say, when they came in, they would take nothing but for their money.

They had contribution vpon repayment ; this is now taken of[f.]

^a These are the Articles for payment of £850 a day for the maintenance of the Scottish Army. There are several copies among the State Papers, and the Articles are printed in Rushworth, as before, p. 1295, and in Nalson, i. 457.

Lord Lowdon.

They doubt not of the Lords endeavours to bring all to good end.
They will endeavor the like.

But they are absent from the rest of their Commissioners, and therefore will represent it.

Desires to have the place named.

And that a Committee may be left here to compose businesse.

E. Bristol.

A Commission come from the King for transferring the Treaty to London.^a

The last Article of the 16. October^b read, being the 13th; this was added, viz. "*And for that,*" &c. And a 14th Article, beginning "*That further,*" &c.

The draught of the Articles of Cessation read, and upon debate mended as they were read in order, beginning "*Articles to be agreed vpon.*"

Lord Lowdon.

Desires the post-ways to London to be made open as betwixt this and Barwick, the treaty being transferred to London.

E. Warwick.

Read a note come from Yorke whereby there is desired a restitution of munitions and armes at Newcastle, &c. Resolved to be left to the Treaty.

Lords.

The Lords commanded me to read the power giuen them to remoue the Treaty to London,^c and willed me to giue the Scotch Commissioners a copie, which I did.

^a Dated 23rd October, 1640. Printed in Rushworth, as before, p. 1305, and in Nalson, i. 463.

^b i.e. of the Articles for Maintenance of the Scottish Army.

^c i.e. The Royal Commission or warrant before mentioned, dated 23rd October.

Lord Lowdon.

They desire, since the Treaty is to be transferred to London, to state the business how they left it.

They desire a safe conduct, and read a forme of their owne drawing.

A clause that the safe conduct shall be entred and confirmed by Parliament.

Lords.

All say it cannot be done in Parliament, for the difficultie and for the derogation to the King.

E. Bristoll.

They will propound it at Yorke to haue it under the Great Seale, but thinke the King will not be moued to go out of the tract of signing and sealing it under his signett.

The Scots retire and retourne.

Lord Lowdon.

They will trust the King in this course, and will obliterate the clause of Parliament.

They will accept of any that is in substance as this by them proposed, though the forme they submitt, and that I might examine it, how it varies in substance with the former.

They desire it under the Great Seale.

The Lords will moue it.

I was commanded to deliuer a copie of the Articles drawn for the Cessation to the Commissioners of Scotland, but not signed.

Also a copie of a letter from the Lords Commissioners to the Counties of Cumberland and Westmerland for [*sic*]; agreed to part of the contribution.

RIPPON. Monday, 26 October, 1640, forenoone.

The Lords Commissioners meeting at my Lord of Hollands chamber, heard the peticion of the burgesses of Newcastle, concerning their disavowing their consent to the contribution and disabilitie to pay it. Their petition was giuen them back, and they sent to the Committee at Yorke.

Afternoone.

The Lords Commissioners and those of Scotland mett at the Councill chamber, about 2 in the afternoone.

E. Bristoll.

Hopes they haue receaue[d] answeare from Newcastle whereupon they may fall vpon particulars.

Lord Lowdon.

They at Newcastle so fare wish wel unto the busines, that they are willing that the Articles drawne may be agreed and signed.

1. He craued the opening of the Seaports.

2. What order should be taken for the securitie of the contribution.

Agree. Those that we do leaue behinde [who] are the principall gentlemen of both countie shall upon all occasion receaue and transmitt unto us the stall [state?] of all business.

3. Concerning the safe conduct, they desire two doubles of the same tenor, one for those who now go up to London, and the second for such as shall come after, with blancks to be filled up.

All post-ways [in] England to be opened.

[*Margin.* A motion by the by.] They haue a Parliament in Scotland; they desire to haue it proroged for the best advantage of the King and them.

The Articles for the competencie, &c. of the 16th of October read and mended as they were read, by consent on both sides.

Then the Articles of the Cessation of Armes,^a which were read, debated, mended, and agreed.

E. Bristol.

Moues that the Cessation of our parts may be signed by all the Lords at Yorke.

And that they will procure theirs to be signed by their Commissioners at Newcastle.

Lord Lowdon.

They will gett their Commissioners of their Parliament to approue what shall be heer concluded on.

They hope the businesse is now in such hands as shall make it happie for the King and the subjects of both kingdomes.

The safe conduct read which was drawne by the Scottish Commissioners.

E. Bristol.

Some memoriall for the transferring the treaty, that it may appeare to be with the good liking of both sides, and that they will pursue it there.

He makes a very plausible conclusion, and desires Mr. Henrison, &c.

^a Dated 26th October 1640. There are several copies among the State Papers, one in the hand-writing of Sir John Borough ; and it is printed in Rushworth, as before, p. 1306, and in Nalson, i. 403.

APPENDIX.

No. I.

INFORMATION FROM THE SCOTTISH NATION,

To all the true English, concerning the present Expedition.

[A printed Broadside among the State Papers in the Public Record Office. Dom.
Aug. 1640.]

OUR distresses in our religion and liberties being of late more pressing than we were able to beare; our supplications and commissions, which were the remedies used by us for our reliefe, were after many delayes and repulses, answered at last with the terrors of an army comming to our borders; a peace was concluded but not observed: And when we did complaine of the breach, and supplicat for the performance, our commissioners were hardly intreated; new and great preparations were made for war, and many acts of hostility done against us both by sea and land. In this case to send new commissioners or supplications were against experience and hopelesse; to maintain an army on the borders is above our strength, and cannot be a safety unto us by sea; to retire homeward, were to call on our enemies to follow us, and to make ourselves and our countrey a prey by land, as our ships and goods are made at sea. We are therefore constrained at this time to come into England, not to make warre, but for seeking our relief and preservation.

Duetie obligeth us to love *England* as ourselves; your grievances are ours; the preservation or ruine of religion and liberties, is common to both nations; we must now stand or fall together. Suffer not therefore malice and calumnie to prevaile so far as to perswade that we come to make warre, *Wee call Heaven and Earth to witnesse* that we are far from such intentions, and that we have no purpose to fight, except we be forced, and in our own defence (as we have more fully expressed in our

large *Declaration*); we come to get assurance of the injoying of our religion and liberties in peace against invasion; and that the authors of all our grievances and yours being tryed in Parliament, and our wrongs redressed, the two kingdomes may live in greater love and unitie than ever before, which to our common rejoycing wee may confidently expect from the goodnes of God, if the wicked counsels of *Papists, prelates*, and other fire-brands their adherents, be not more harkned unto, then our true and honest Declarations.

And where it may be conceived, that an army cannot come into *England* but they will waste and spoil; we declare that no soldiers shall be allowed to commit any out-rage, or do the smallest wrong, but shall be punished with severity: That we shal take neither meat nor drink, nor anything else, but for our moneyes: and when our moneyes are spent, for sufficient surety which by publike order shalbe given to all such as shall furnish us things necessary. We neither have spared, nor will we spare, our pains, fortunes, and lyves, in this cause of our assurance and your deliverance, and therefore cannot look from any well-affected to trueth and peace, to be either opposed by force and unjust violence in our peaceable passage, or to be discouraged by wilfull or uncharitable with-holding of meanes for our sustentation on our way. We are brethren: your worthy predecessors, at the time of Reformation, vouchsafed us their help and assistance. We have for many years lived in love: we have common desires of the purity of religion and quietnes of both kingdomes: our hopes are to see better dayes in this Iland: our enemies also are common: Let us not upon their suggestions or our own apprehensions be friends to them, and enemies to ourselves: We desire nothing but what in the like extreimity (which we pray God your nation never find) we would most gladly, upon the like Declaration, grant unto you, comming with your supplication to the King's Majestie, were he living amongst us; and what ye would we should doe unto you, we trust ye will be moved to doe even so unto us, that the blessing of God may rest upon both.

No. II.

The
Lawfulnesse
of
Ovr Expedition into
England
Manifested.

Printed at Edinburgh by Robert Bryson, and are to be sold at his Shop,
at the Signe of Jonah. 1640.

[4to. 8 pp. Reprinted from a Copy among the State Papers in the Public Record
Office. Dom. 12 Oct. 1640.]

The Lawfulnesse of our Expedition into ENGLAND
manifested.

As from the beginning till this time, wee have attempted nothing presumptuously in this great Worke of Reformation, but have proceeded upon good grounds, and have beene led forward by the good hand of God, so now, from our own perswasion, are wee ready to answer every one that asketh us a reason of this our present Expedition, which is one of the greatest and most notable parts of this wonderful Work of God, beseeching all to lift up their mindes above their owne particulars, and without preiudice or partiality to lay to heart the considerations following.

I. As all men know and confesse, what is the great force of necessity, and how it doth iustifie actions otherwayes unwarrantable, So can it not be denied, but wee must either seeke our peace in *England* at this time, or lye under three¹ heavy burthens which we are not able to beare. First, wee must maintaine Armies on the Borders, and all places nearest to hazard, for the defence and preservation of our countrey, which by our laying down of Arms and disbanding of our Forces should be quickly

[Archbishop Land's
Manuscript Notes.]

¹ *None of these Necessarye if they would have yeelded due obedience to their Kinge.*

ouer-runne by hostile invasion, and the incursions of our enemies. Secondly, wee shall want all trade by sea, which would not onely deprive the Kingdom of many necessaries, but utterly undoe our Burrowes, Marchants, Marriners, and many others who live by fishing and by commodities exported and imported, and whose particular callings are utterly made void by want of commerce with other Nations and Sea-trade. Thirdly, the Subjects through the whole Kingdome shall want administration of Justice: and although this time past, the marvelous power and providence of God hath kepted the Kingdome in order and quietn[es] without ordinary Judicatories sitting, yet cannot this be expected for afterward, but all shall turne to confusion. Any one of the three, much more all of them but [*sic*] together, threaten us with most certain ruine, unlesse wee speedily vse the remedy of this Expedition. And this wee saye not from feare but from feeling: for we have already felt to our unspeakable preiudice, what it is to maintain Armies, what to want traffique, what to want administration of Justice, and if the beginning of those evils be so heavy, what shall the growth¹ and long continuance of them proue unto us, So miserable a being, all men would iudge to be worse then no being.

¹ *Noe Growth necessary, whear they might have prevented the beginnunge bye doinge but their dewtye.*

II. If we consider the nature and quality of this Expedition, It is defensiuē, and so the more iustifieable. For prooffe hereof, let it be remembred: 1. The Kings Maiesty misledde by the crafty and cruell faction of our aduersaries, began this yeares warre² not wee. When articles of pacification had been the other year agreed upon, Armes laid downe, Forts and Castels rendered, an assembly kept and concluded with the presence and consent of his Maiesties high Commissioner, the promised ratification thereof in Parliament (contrary to the foresaid Articles)³ was denyed vnto us. And when wee would have informed his Maiestie, by our Commissioners, of the reasons and manner of our proceedings, they got not so much as presence or audience. Thereafter his Maiesty being content to heare them, before that they came to Court or were heard, warre was concluded against us at the Councell table of *England*, and a Commission giuen to the Earle of *Northumberland* for that effect:⁴ The Parliament of *Ireland* and *England* were also conuocat

² *If this war true tis not Defensiuē.*

³ *They Brake the Articles first.*

⁴ *Not till they had broken.*

¹ *The King Invaide his owne.*

² *Upon their High disobedience.*

³ *Doe they not give offence and doe hurt by comminge in?*

⁴ *These have bin both offered.*

⁵ *They wear Natives and made Noe Invasion. Yett that which they did was not Lawfull.*

⁶ *Noe "Must" whear doinge but deuty will serve, ether privat Man or Nation.*

⁷ *All this is but as the blinde man thinkes.*

⁸ *I doubt not the Inclination but the Direction.*

invasions¹ by sea, which have spoiled us of our ships and goods: men, women, and children killed in *Edinburgh* by his Maiesties Forces in the Castle:² Our enemies therefore are the authors and beginners of the warre, and wee defenders onely. 2. We intend not the hurt of others, but our own peace and preservation, neither are we to offer any injury or violence: And therefore have furnished our selves according to our power with all necessars, not to fight at all, except wee be forced to it in our own defence,³ as our Declaration beareth. 3. We shall retire and lay downe our Armes, assoon as we shall get a sure peace, and shall be satisfied in our iust demands.⁴ Vpon which ground even some of those who would seeme the greatest Royalists, hold the warres of the Protestants in *France* against the King and the faction of the *Guisians* to have been lawfull defensive wars,⁵ because they were ever ready to disband and quiet themselves when they got assurance of peace and liberty of Religion. Now this present Expedition being in the nature of it defensive, hence it appeareth that it is not contrary, but consonant to our former protestations, Informations and Remonstrances: In all which, there is not one word against defensive warre in this cause: but strong reasons for it, all which militat for this Expedition. Our first Information sent to England this year, though it accurseth all offensive or invasive warre, yet sheweth plainly, that if we bee invaded either by sea or land, we must⁶ do as a man that fighteth himselfe out of prison. If a private man when his house is blocked vp, so that he can have no liberty of commerce and traffique to supply himselfe and his family, being also in continuall hazard of his life, not knowing when he shall be assaulted by his enemies who lye in waite against him, may in this case most lawfully step forth with the Forces which he can make and fight himself free: Of how much more worth is the whole Nation: and how shall one and the same way of defence and liberation be allowed to a privat man and disallowed to a Nation?

III. Thirdly, wee are called⁷ to this expedition by that same divine providence and vocation which hath guided us hitherto in this great business. We see the expediency of it, for the glory of God, for the good of the Church, for advancing the Gospel, for our own peace, after seeking of God, and begging light and direction from Heaven, our heartes are inclined⁸ to it, God hath given us zeal and courage to prosecute it, ability

and opportunity for under-taking it, Instruments¹ fitted for it, unanimous resolution upon it, scruples removed out of minds where they were harboured, encouragements to atchieve it from many passages of divine providence, and namely from the proceedings of the last Parliament in England,² their grievances and desires being so homogeneall and a kinne to ours, we haue laboured in great long-suffering by Supplications, Informations, Commissions, and all other meanes possible³ to avoid this Expedition: It was not premeditate nor affected by us, (God knowes) but our enemies have necessitat and redacted us unto it, and that of purpose to sowe the seed of Nationall quarrels; yet as God hitherto hath turned all their plots against themselves, and to effects quite contrary to those that they intended, so are we hopefull, that our going into England, soe much wished and desired by our adversaries for producing a Nationall quarrel,⁴ shall soe farre disappoint them of their aymes, that it shall link the two nations together in straiter and stronger bonds both of civill and Christian love, then ever before.⁵ And that we may see yet further evidences of a calling from God to this voyage, we may observe the order of the Lords steps and proceedings in this Work of Reformation.⁶ For, beginning at the grosse Popery of the Service book, and book of Canons, he hath followed the backe trade of our defection, till he hath reformed the very first and smallest Novations, which entered in this Church. But so it is that this backe trade leadeth yet further, to the Prelacy of England, the fountain whence all those Babilonish streames issud unto us: The Lord therefore is still on the backe trade, and wee following him therein, can not yet be at a stay. Yea; we trust, that he shall so follow forth this trade, as to chase home the beast and the false prophet to Rome,⁷ and from Rome out of the world. Besides, this third consideration resulteth from the former two; for if this Expedition be necessary, and if it be defensive,⁸ then it followeth inevitably, that we are called unto it, for our necessary defence is warranted, yea commanded by the Law of God and Nature, and we are obliged to it in our Covenant.

IV. Fourthly, the lawfulnessse of this Expedition appeareth: if we consider the party, against whom: which is not the Kingdome of England, but the *Canterburian* faction of *Papists, Atheists, Arminians, Prelats,*⁹ the misleaders of the Kings Majesty, and the common enemies of both Kingdomes. We perswade our selves, that our Brethren and neighbours

¹ They have often spoken of these Instruments.

² I am sorrye for this.

³ Save yeeldinge the dentifull Obedience of subiects.

⁴ Noe sure, Noe man wished it.

⁵ It maye be the English ar such Fooles.

⁶ Soe they come to reforme this Kingdome.

⁷ Thear's noe beast to runne to Rome.

⁸ But beinge Nether is euerye way warranted.

⁹ If these be in fault is thear not Justice in the Kingdome to punnish them without their Comminge in?

¹ *If they Can foole England into thiss they may doe what they will.*

² *Have not the Northern parts found them soe?*

³ *Not worth three of their Lice.*

⁴ *Damnable not to give these Israelites way.*

⁵ *Is it [sic] highlye disloyall which they haue done allreadye?*

⁶ *Thiss may be done though they returne.*

⁷ *Much is done allreadye by them.*

⁸ *And exceedinglye well kept at thiss daye.*

in *England* will never bee so evill advised, as to make themselves a party against us by their defence and patrociny of our enemies among them,¹ as sometime the *Benjamites* made themselves a party against the *Israelites*, by defending the *Gibeathites* in their wicked cause, *Judg.* 20. We pray God to give them the wisdome of the wise woman in *Abell*, who when *Joab* came neare to her city with an army, found out a way which both kept *Joab* from being an enemy to the City, and the City from being an enemy to him, *2 Sam.* 20. As touching the provision and furniture of our Army in *England*, it shall be such as is used among Friends, not among enemies:² The rule of humanity and gratitude will teach them to furnish us with necessaries, when as beside the procuring of our owne peace, we doe good offices to them. They detest (we know) the churlishnes of *Nabal* who refused victuals to *David* and his men, who had done them good and no evil, *1 Sam.* 20. And the inhumanity of the men of *Succoth* and *Penuell*, who denyed bread to *Gideons* Army, when he was persuing the common enemies of all Israel, *Judg.* 8. But let the *English* doe of their benevolence what humanity and discretion will teach them; For our own part, our Declaration showeth, that we seeke not victuals for nought, but for money or security.³ And if this should be refused (which we shall never expect) it were as damnable⁴ as the barbarous cruelty of *Edom* and *Moab*, who refused to let Israel passe through their countrey, or to give them bread and water in any case, *Numb.* 20. *Judg.* 11, and this offence the Lord accounted so inexpressible, that for it hee accused the *Edomites* and *Moabites* from entering into the congregation of the Lord unto the tenth generation, *Deut.* 23, 3, 4.

V. The fifth consideration concerneth the end for which this voyage is under-taken. Wee have attested the searcher of hearts, It is not to execute any disloyall act⁵ against the Kings Majesty, It is not to put forth a cruell or vindictiue hand against our adversaries in England, whom we desire onely to be iudged and censured by their own honourable and high Court of Parliament;⁶ It is not to enrich our selves with the wealth of England, nor to doe any harme⁷ thereto. But by the contrary wee shall gladly bestow our paines and our meanes to doe them all the good wee can, which they might justly look for at our hands, for the help which they made us at our Reformation, in freeing us from the French, a bond of peace and love betwixt them and us to all generations.⁸ Our conscience

and God, who is greater then our conscience, beareth us record, that we aime altogether at the glory of God,¹ peace of both Nations, and honour of the King² in suppressing and punishing in a legall way of those who are the troublers of *Israel*,³ the fire-brands of hell, the *Korehs*, the *Ba-laams*, the *Doegs*, the *Rabshakahs*, the *Hamans*, the *Tobiahs* and *Sanballats* of our time; which done we are satisfied. Neither have we begun to use a military Expedition to England as a meane for compassing those our pious endes, till all other meanes⁴ which wee could thinke upon haue failed us, and this alone is left to us as *ultimum et unicum remedium*, the last and only remedy.

VI. Sixtly, if the Lord shall blesse us in this our Expedition, and our Intentions shall not be crossed by our own sinnes and miscarriage, or by the opposition of the *English*, the fruits shall be sweet, and the effects comfortable to both Nations, to the Posterity, and to the reformed Kirkes abroad:⁵ *Scotland* shall be reformed as at the beginning, the Reformation of *England* long prayed and pleaded for by the Godly there,⁶ shall be according to their wishes and desires perfected in doctrine, worship, and discipline, Papists, Prelats, and all the members of the Antichristian Hierarchy, with their Idolatry, Superstition, and humane Inventions shall pack them hence; the names of Sects and Separatists shall no more be mentioned,⁷ and the Lord shall be one, and his Name one throughout the whole Iland; which shalbe glory to God, honour to the King, joy to the Kingdomes, comfort to the posterity, example to other Christian Kirkes, and confusion to the incorrigible enemies.

No. III.

HENRY PERCY TO SECRETARY WINDEBANK.

[Orig. among the State Papers. Dom. 31 Aug. 1640.]

Sir,—The Committee rising I mett with my Lord Marshall and my Lord Cottington, whoe were pleased to tell me I was inquired for, with an intention to commaund my service in disposing her Majesty to ioyne with there Lordships in that request concerning my Lord of Essex. I thought

¹ *This is the highth of hypocrisy.*

² *God preserue [his] Maiestie [?] from such Honor.*

³ *Elias was made soe Once.*

⁴ *All saue doinge our dewtye.*

⁵ *Can anye Foole believe this: for I am sure noe wisman can.*

⁶ *They'll reforme England.*

⁷ *Because all will be such.*

time very considerable in this matter, therefore I waited upon her Majesty this night, and according to there Lordships instructions did represent those reasons to her that might conduce most to the making her a party in this designe, which her Majesty did apprehend so rightly as she did instantly write as one much concerned, and giues there Lordships many thanks for the preparing of this which she beleeves will prooue much for his Majesty's seruice. Sir, the Queene desires this letter may be sent with the first occasion, and I beseech you to lett there Lordships know how readily I obeyed there commaunds ; for your selfe I will only take leane to assure you, I am your most humble servant,
H. PERCY. Sion, the 31 [August, 1640].

No. IV.

NOTES BY SECRETARY WINDEBANK OF PRIVATE COMMITTEE
OF COUNCIL.

[Extract from Orig. among the State Papers, under date.]

31 Aug. 1640.

Committee.

The Lords are very sorry for the ill newes. To give accompt to his Majesty of the Lords being in towne, and of the dangerous consequence of it, and to know his Majesty's pleasure what he will have done.

The City mustering.

The Earl Marshall will speake with the Earl of Bedford and wish him to goe into the country to his Lieutenancy.

That the Lords do understande the Queene will desire the King to call my Lord of Essex and to employ him: that his Majesty will please to do it with his owne letter, in the most obliging way: that it wilbe of great importance to call him from the ill-affected Lords here, and a great contentment to all kinde of people.

Lo. Say and Brooke another time.

No. V.

SECRETARY WINDEBANK'S NOTES OF MEETING BETWEEN THE
COUNCIL AND THE EARLS OF HERTFORD AND BEDFORD.

[Orig. among the State Papers, under date.]

7 Septem. 1640. Counsell at Whitehall.

Earl of Hartford. Earl of Bedford.

My Lord Hartford. That in the common danger they have presented a petition to his Majesty. That they have brought the like to the Lords desiring them to joyne with them in it, with this protestation that they wash their handes from the mischiefes that will happen if the Lords do not joyne with them in it.

When they had done, the petition was read.

My Lord Marshall told the Lords that these Lords seemed to be sensible that the nation of England should under color of religion and liberty be conquered by so poore a nation as that of the Scotts. They [blank]

Sir Thomas Rowes discourse, that the Earl of Hartford desired the question should be putt to them.

Freely spoken on both sides.

They say if they had knowne that Newcastle had been taken they wold have forborne the petition at this [time?]

They for themselves advowed they wold serue the Kinge without condition: though the Kinge shold deny their peticion: Bedford was shy of doing any thing without those from whom he was authorised.

They presented the peticion that they might be the better enabled to serue the King.

The Earl Marshall insinuated to them that by their peticion they seemed to ioyne with the Scotts, whom they did not terme rebelles; the indecency of it. The end and conclusion very strange, to desire the Scotts to ioyne in the reformacion of Religion. The Lords of the Counsell had not slept, but were upon these endes: had discovered a Covenant. A parliament cold not be called presently, and then the

Lord Keeper, Lord
Marshall, Lord Cot-
tington, Secretary
Windebank.

Rosetti. Capucines.

My Lord of Bedford
professed his alle-
geance and redines to

serue his Majesty, but remedey cold not be applied present. They said if the King wold call a parliament it wold give satisfaction to the people.

They were sent from diuers noble men, and from the gentry in most partes of the kingdom. They wold not be pressed to a resolution of their owne, being but messengers and were only trusted: and therefore they desired that the Lords wold confer with some other of their company: to which it was answered we had no power to do that.

They had sent copies of their petition, which were common in the town. They say they did not know the Kinges answer.

The Lord of Bedford interrupted my Lord Marshall in the report.

They are made acquainted with the Kinges answer, and that they are to receive it by their owne messenger.

No. VI.

SECRETARY WINDEBANK'S NOTES OF A COUNCIL.

[Orig. among the State Papers; Dom. under date.]

18 Sept. 1640. Whitehall. Counsell.

Lord Archbishop Canterbury, Lord Treasurer, Earl Marshall, Lord Goring, Lord Cottington, Lord Newburgh, Secretary Windebank, Sir Thomas Rowe.

A letter to the Lord Maior that the Lords looke for an answer to their letter wherein they are to shew their dislike of the petition. The Lord Mayor could not draw the Court of Aldermen to disclaime the petition, it being contrary to the custom of the city to write to the King, they never presume to write to the King; but they ought to answer the letter from the Boorde and the Lord Maior to begin and sett his hand first.

The petition of the Lords signed since it came back by some Lords. A letter to be written to the King from the Boord disadvoing it.

Dr. Burgesse gon downe with a petition to the King, a very black man of a midling stature: it is said he hath bene in Scotlande.

Knollis wife to be sent for and her house searched.

The like for the Clergy.

That the King will keepe those messengers that carry the petition to know what warrant they have from the city.

Those counties that shall rise and serve at their owne charge are to

have the like priviledges to those of Yorkshire in the Lords opinion, or else the King will not be served.

There are two shippes of His Majesty at Tynmouth and they will be out of victuall by the 19 of the next month, and so will all the winter garde: the charge of supplying wilbe £4160: because His Majesty's commande is so expresse for not diverting moneyes. His Majesty's present answer.

10^m. to-day, and warrant in 4 or 5 dayes 10^m. more, and after that within 3 or 4 dayes the like.

The removing of my Lord of Lincoln out of the Tower.

Lord Treasurer, No helpe: rather squander away: a miracle.

Pepper, Abdy. Ricault in danger.

No. VII.

THE ENGLISH COMMISSIONERS AT RIPON TO LORD KEEPER FINCH.

[Copy among the State Papers, under date.]

Our very good Lord, We conceive that both our letters and the paper of the Scots have not been rightly understood, for in our letter we signified that the Scottish Commissioners were not fully and finally satisfied with the security which we have been yet able to propound unto them for the raising of £850 *per diem*. But finding that they were thereby clearly dealt withal, and that all possible endeavours were used for their satisfaction in this point, they thought it fit to represent the true estate of the business unto those of Newcastle, and in the interim, although their instructions be not to enter into the main treaty until the competency for the maintenance of the army be fully secured, yet for the gaining of time they were contented to enter upon debate of their demands, and so to prepare them that they might be in readiness for a conclusion when they should receive powers. And your Lordship will find the Scottish paper of the 20th of October to speak to the same tenor, so that His Majesty cannot expect any resolution in the point of the main treaty until the return of

the Scottish powers which they have sent for. In the meantime we are preparing all things for the expediting and facilitating of the Treaty, as we conceive may most conduce to his Majesty's service, as hitherto we have in all things done, and we are all of an unanimous opinion that nothing will so solidly settle and bring the main treaty to a happy and perfect conclusion as that the Treaty be transferred to London, where we may be near unto his Majesty's directions, and we conceive that the unnecessary keeping of the Treaty at the first from York, which was by his Majesty and the Peers assented unto, and hindered upon other reasons, hath wholly retarded and put his Majesty's affairs and the Treaty into this disorder in which it now standeth. And we are likewise all of opinion that the continuance of those counsels may bring the business into a more irrecoverable condition, the evil consequence whereof we all with one consent do wish may rather fall upon the advisers, than upon his Majesty or ourselves. We had also reason to have hoped that his Majesty would have willingly agreed to our humble advice, since from the hand of Mr. Secretary Vane these words have been delivered in a letter to the Earl of Essex, to be reported unto us from His Majesty, that he doth not intend to hold the Lords longer in this treaty at Ripon than they shall advise to be for his service, the safety of the kingdom, and their own contentments. We do therefore still pursue our former advice, that so we may have a convenient time for our repair to the Parliament, that there the whole kingdom may receive an account of our endeavours, both in what condition we found things at our coming to York, and how we left them at our parting from Ripon. God have your Lordship in his keeping. Your Lordships affectionate friends and servants.

[Subscribed by all the Lords Commissioners.]

Ripon, 22nd October, 1640.

REPORT OF THE COUNCIL
OF
THE CAMDEN SOCIETY,
READ AT THE GENERAL MEETING
ON THE 1st MAY 1869.

THE obituary of the Camden Society for the past year contains several names which the Council cannot enumerate without an expression of deep regret. In the present state of the Society no loss can be greater than that of members of literary ability able and willing to render to the Society the benefit of their labours on its Council, and their services as Editors of its publications. Among persons of this class whose departure we have now to deplore there are four whom it is our duty on the present occasion especially to commemorate, although the Council feel it the less necessary to enter into any considerable detail respecting them, as they are all men of mark and eminence in literature, and their merits are therefore sure to be borne in mind in many quarters. In some places they will be dwelt upon at far greater length than can be devoted to such a purpose in a brief Report such as the Council of this Society is accustomed to present to the General Meeting.

The gentlemen to whom we have alluded are, the Rev. LAMBERT B. LARKING, ARTHUR ASHPITEL, Esq., both members of the Council, the Rev. JOHN WEBB, who was on the Council last year, and SIR HENRY ELLIS, who had frequently served the Society in that capacity.

Of all these gentlemen valuable notices have already appeared.* Of

* Especially in that excellent magazine, *The Register*, which supplies a literary and public want severely felt before the commencement of its publication. If any circumstance should unhappily prevent its attaining a permanent position in our literature (*quod absit!*) the loss both to our literary and general history would be extremely great.

Mr. Larking the memoir which is the most complete is that just published in the seventh volume of the *Archæologia Cantiana*,—the Proceedings of the Society instituted by himself. The writer commemorates Mr. Larking's "sterling worth, his unimpeachable integrity, his nice sense of honour, his unfailing courtesy, his active benevolence, and unobtrusive kindness," and justly remarks that it is scarcely possible that they who knew him will ever find in any other person "the same genial greeting, the same bright smile, and the same hearty and affectionate manner" which so pre-eminently distinguished our admirable friend. "None have surpassed him," the same writer continues, "in those winning and amiable qualities which attract at first sight, and often lead on to indissoluble friendships, and none knew better than he how to cement friendship once gained by the exercise of every excellence." Mr. Larking's works, including of course those edited for this Society, are enumerated in the several biographical notices to which we have alluded.

Mr. Ashpitel was less known among us than Mr. Larking. His frequent illnesses prevented his punctual attendance at the meetings of the Council, but his acquaintance with antiquarian literature, and indeed with literature in general, was very extensive, and his nature most friendly and generous. Very favourable expectations were entertained of a work which he had in hand for the Camden Society, a *Consuetudinarium* of Westminster Abbey. He had bestowed great pains upon the elucidation of this curious document. An essay upon its contents which he some time since communicated to the Council set forth all the leading peculiarities of town monastic life, and proved both the value of the original document and Mr. Ashpitel's competency to deal with it as editor.

The Rev. John Webb held an acknowledged station in the highest rank of antiquarian scholars. His works published in the *Archæologia*, and the *Household Roll of Bishop Swinfield*, published by this Society, are among the best books of their class in our literature. Mr. Webb has left nearly ready for the press a work of a different but very attractive character, intended to be sent forth by this Society, entitled *A Military*

Memoir of Colonel Birch, a distinguished officer during our Great Civil War. This work will be completed and seen through the press, with an affectionate anxiety for Mr. Webb's literary reputation, by his son, the Rev. Thomas William Webb.

Of Sir Henry Ellis, and his services to the world of letters, we cannot in any degree adequately treat. His eminent position for many years in the British Museum, his Secretaryship to the Society of Antiquaries, and his many publications, all useful and many of them highly important and meritorious, and comprising a great variety of subjects, topographical, antiquarian, and historical, have given him a name which inquirers into English history and its literature during the present century can never overlook. His contributions to this Society—Norden's Essex, the Letters of Literary Men, the Translation of Polydore Vergil, Camden's Visitation of Huntingdonshire, Smith's Obituary, and the Pilgrimage of Sir Richard Guildford, exemplify and attest the variety of the subjects to which Sir Henry gave his attention.

The Obituary of the year also contains the names of the following other Members of this Society, amongst them persons of the very highest importance, but, except in the instance of Mr. Hopper, not distinguished as having taken any special interest in the affairs of the Society :—

THE RIGHT HONOURABLE LORD BROUGHAM.
 THE RIGHT HONOURABLE LORD CRANWORTH.
 THE RIGHT HONOURABLE LORD FARNHAM.
 LEONARD SHELFORD BIDWELL, ESQ. F.S.A.
 THE REV. JOHN LOUIS PETIT, M.A., F.S.A.
 ROBERT PORRETT, ESQ., F.R.S. and F.S.A.
 HENRY ROBINSON, ESQ.
 MR. CLARENCE HOPPER.
 MISS BOWER.

The following Works have during the past year been added to the list of suggested publications :—

I. Letters and Papers of John Shillingford, Mayor of Exeter A.D. 1447-1450. To be edited by STEWART A. MOORE, Esq.

II. Henry Elsynge's Notes of Proceedings in the House of Lords during several Parliaments in the reign of James I. from the original MSS. in the possession of Colonel Carew, of Crowcombe Court, Somerset. To be edited by SAMUEL R. GARDINER, Esq.

III. The Account of the Executors of Richard de Gravesend, Bishop of London, A.D. 1281. To be edited by the Venerable Archdeacon HALE.

IV. The Cheque Book of the Chapel Royal from the Reign of Elizabeth to the Accession of the House of Hanover. To be edited by Dr. RIMBAULT.

V. Accounts of the expenditure in Building Bodmin Church. To be edited by the Rev. J. J. WILKINSON.

The two latter will form portions of the next Volume of the Camden Miscellany.

The Books issued during the past Year have been—

I. History from Marble, being Ancient and Modern Funerall Monuments, &c. in England and Wales, by Thomas Dingley, Gentleman. Photo-Lithographed in fac-simile by Vincent Brooks, from the original MS. belonging to Sir Thomas E. Winnington, Bart. With an Introduction and Descriptive Contents by JOHN GOUGH NICHOLS, Esq., F.S.A. Volume the Second.

II. The Second Volume of Documents connected with James the First's Relations with Germany. Edited by SAMUEL RAWSON GARDINER, Esq.

III. Diary of John Manningham of the Middle Temple, and of Bradbourn, Kent, Barrister-at-Law, 1602-3. Edited by JOHN BRUCE, Esq., and presented to the Camden Society by WILLIAM TITE, Esq. M.P., F.R.S., V.P.S.A. President of the Camden Society.

The delivery of the second volume of Dingley was considerably interfered with by the occurrence of a disastrous fire on the premises of Messrs. Nichols, just after the delivery had commenced. This accident destroyed the whole undelivered portion of the volume. It also did considerable damage to other portions of our stock. The loss was covered by our insurance and that of Messrs. Nichols. The second volume of Dingley has been reproduced in photo-lithography, and the Society has received a compensation from the insurance office for the loss of its stock.

The third book in this list, Manningham's Diary, is well known to be a gift made to the Society by our excellent President, Mr. Tite. The circumstances are stated in a letter from Mr. Tite, prefixed to the book

itself. When appointed President of this Society, he felt anxious to express his sense of that honour by some appropriate acknowledgment. He at first thought of printing a MS. from his own library; but, not finding one that seemed exactly suitable, he took counsel of our Director, which led to the selection of the work ultimately published. It is unnecessary for the Council to make any comment upon this valuable and most appropriate gift. Other Presidents have left behind them in this Society a pleasant remembrance of their many excellent personal qualities, but Mr. Tite, over and above a similar remembrance, will by this gift have bound not only ourselves, but all who come after us in this Society, and even all who feel the value of the materials for English history which Manningham's Diary contains, to remember and to thank our President for the effective way in which he has promoted the purposes for which this Society was instituted.

Shortly before Christmas last, the Council were informed that it was in contemplation to make new arrangements at the Court of Probate, whereby the free access given to literary inquirers to make searches and copies of Wills proved before 1700 would be seriously interfered with, one general daily fee being about to be imposed upon all searchers. Considering that such an alteration would be a serious bar to literary inquiry, and that it was through the long and persevering exertions of this Society that the present freedom was obtained, the Council invited the Society of Antiquaries to unite with our Society in an appeal to the Lords of the Treasury upon the subject of the contemplated change. The following joint Memorial was in consequence presented:—

To the Right Honorable the LORDS COMMISSIONERS of HER MAJESTY'S
TREASURY.

The humble Memorial of THE SOCIETY OF ANTIQUARIES OF
LONDON and THE CAMDEN SOCIETY for the Publication of
Historical Remains,

Sheweth,

That by an arrangement effected by the late Sir Creswell Creswell, Chief Judge of the Court of Probate, with the sanction of your Lordships, literary inquirers have for some time past been permitted to make searches and copies for literary purposes

in respect of all Wills proved at Doctors' Commons anterior to the year 1700 without payment of fees, being the same liberty which such persons possess in reference to all the other Public Records, State Papers, and National Muniments.

The beneficial effects of free access to the sources of our history are traceable in the present state of our literature, in which, as compared with what used to be the case, there is a more careful inquiry into facts, a far wider search after historical authorities, greater accuracy in their quotation, and more candour in the judgments formed upon their contents.

Your Memorialists have been informed that a scheme is now about to be carried out at Doctors' Commons whereby the arrangement made by Sir Creswell Creswell will be departed from, and one general fee, to be paid daily, will be imposed upon all searchers, literary and others.

The imposition of such a fee, however small the amount, would be fatal to the prosecution of literary inquiries, and would be a check and bar to the growing improvement in our historical literature, a great branch of our national education.

Your Memorialists pray your Lordships not to give your sanction to any arrangement for the imposition upon literary searchers at Doctors' Commons of a daily fee, nor to any modification of such an arrangement which would place literary inquirers under new restrictions; and if your Lordships should entertain any doubt upon the subject, or desire further information, your Memorialists pray to be permitted to state more at length the reasons against the adoption of any such course.

And your Memorialists, &c.

STANHOPE,
President of the Society of Antiquaries.

WILLIAM TITE,
President of the Camden Society.

The receipt of this memorial was duly acknowledged, with a promise of inquiry, and the following answer has been lately received:—

Treasury Chambers, 14th April, 1869.

MY LORD AND SIR,

I am desired by the Lords Commissioners of Her Majesty's Treasury to acquaint you that they are informed that the Judge of the Court of Probate has not perfected any such scheme as that referred to in your recent memorial for imposing a general fee on all searchers at Doctors' Commons, nor is any definite scheme at present under his consideration, but whenever any plan is proposed it will be fully considered by this Board.

I am, my Lord and Sir, your obedient servant,
(Signed) GEO. A. HAMILTON.

The President of the Society of Antiquaries and
the President of the Camden Society.

The subject is one of great importance to all historical inquirers. The Council cannot believe that any endeavour will be made to recur even in degree to the illiberality which so long distinguished Doctors' Commons, but if any movement be made in that direction the Council will do everything in their power to oppose it. The kindly feeling of the present Chief Judge towards literary inquirers may be relied upon. He has lately given them the same right of access to country registers which was granted in the principal registry by Sir Creswell Creswell. But it is perfectly possible that some of the old leaven of disregard to literature which distinguished Doctors' Commons may yet remain among the officials by whom the Judge is surrounded.

The General Index to the First Hundred Volumes published by this Society, which was ordered to be undertaken at the last General Meeting, is making rapid progress. The number of volumes now completed is 15, including some of those, such as Dingley and Machyn, which furnish the most material for the Index-maker, and 12 other volumes are in various stages of progress, some of them nearly complete. The work is one of enormous labour; but Mr. Henry Gough, who is compiling it, devotes himself very energetically to his task, and the Council trust that it will proceed as quickly as possible to completion. They are confident that it will form a volume of continual use and reference far beyond the immediate range of this Society, and be a clear evidence to all future time of the amount of good and useful historical work which this Society has accomplished.

The pecuniary condition of the Society will be satisfactorily explained by the Report of the Auditors, to which the Council beg leave to refer. The cost of Dingley's History from Marble has of course considerably affected the balance with which we began the year, and which had been reserved with a view to that expenditure. But the value and curiosity of the publication have been so amply recognised that this application of our funds may well be regarded, not merely with satisfaction, but as adding a new and most important attraction to the long series of our publications.

Without debt, and with a reserved fund sufficient to discharge at any moment our existing liabilities, the situation of the Society is as secure as can be desired; but our obituary of the last and some previous years has told upon our list of Members and our list of Editors, crippling and retarding our operations and disabling us from doing many things which with a larger income and more literary help it would be in our power to accomplish. Among unpublished materials for our history there is known to be a mass of valuable matter yet undealt with. Every person who has made himself acquainted, even ever so slightly, with the manuscripts which exist in repositories either public or private is well aware of very many papers which it would be a great gain to our literature to print. And we cannot doubt that there exist stores of manuscripts in many private families, the importance of which—what historical questions they would settle—what historical characters they would vindicate—has never yet been accurately ascertained.

Under these circumstances the Council has heard with great satisfaction that Her Majesty has issued a Commission, directed to Lord Romilly and other competent gentlemen (among them, *facile princeps* in inquiries of such a character, Mr. Duffus Hardy), for the inspection of historical manuscripts in private hands. We congratulate the Members of this Society on a step which will probably give an impetus to the cause in which they have now for some years been working. The issuing of this Commission will cause greater attention to be henceforth paid to manuscripts in private hands, and in the possession of municipalities and other public bodies; and every discovery of historical truth which the Commissioners may make will be a subject of rejoicing in this Society.

The fourth Publication of this Society for the present year aptly illustrates the advantage to be derived from such a Commission. It will be a volume, now in active preparation, entitled "Notes taken by Sir John Borough, Garter King of Arms, of the Treaty carried on at Ripon between King Charles I. and the Covenanters of Scotland, A.D. 1640." The circumstances under which these Notes were brought to light are of a kind which deserve to be commemorated.

Crowcombe Court, in Somersetshire, situated under the range of the Quantock Hills, about half-way between Taunton and Watchet, is the seat of a branch of the ancient and eminent family of the Carews. It has long been known as containing a collection of paintings of very high value. Many works of art in various schools, and especially portraits by Holbein, Zuccherò, Vandyck, and Cornelius Jansen, derived from this collection, attracted attention at our great Exhibitions, both in London and elsewhere, and have spread far and wide a knowledge of some of the chief pictures in this collection. But it had not been known to historical students, and was scarcely remembered by the proprietors themselves, that there existed in the same house a considerable number of old manuscripts. About twelve months ago the family at Crowcombe Court became desirous that their manuscripts should be inspected, and, upon their invitation, our Director visited Somersetshire for that purpose. The manuscripts were carefully preserved in a recess converted into a closet in a room occupied as a museum. No damp and but little dust had reached them, but they had not been inspected by any competent person within the memory of any living witness. They were found to consist of about 200 volumes, of a very varied character, but, with the exception of a copy of the French Romance of the Rose, were principally historical. We will name a few of them. Among those which relate to Ireland, there is what is apparently the author's own draft of a continuation of the Chronicle of Ireland published in Holinshed; original Minutes of the Proceedings of the Irish Parliament 1613-15, with petitions and other papers inserted; and an original Entry Book of Secretary Walsingham's Letters to Ireland 1578 and 1579. There are, besides,—an Entry Book of Letters of Cardinal Wolsey relating to foreign negotiations; a brief Diary of Secretary Walsingham, from 1571 to 1583, principally relating to letters received and sent; various volumes of Entry Books of Petitions addressed to Charles I., in continuation of similar Books preserved among the State Papers; six volumes of what is termed "the scribble" of the House of Lords, that is, the rough notes of the pro-

ceedings of the House in the times of James I. and Charles I., taken during the sitting of the House, by Henry Elsynge, the Clerk at the Table; these are much fuller than the Journals, and contain some original reports and other papers inserted; and, finally (to bring this selection to an end), the volume before-mentioned of Sir John Borough's notes, which is the second volume of a series of three relating to different parts of the same subject, the first and the third being in the British Museum, among the Harleian MSS. and the earlier of those two published in the second volume of Lord Hardwicke's Collection of State Papers.

Colonel and Mrs. Carew took the strongest interest in the discovery of the papers thus brought to light, and with the greatest liberality authorised our Director to state the circumstances to the Master of the Rolls, and to offer the use of certain of their Manuscripts to his Lordship for the editors of some of his calendars, and to propose certain others to this Society for publication. Lord Romilly accepted the offer with thanks, and the Calendar of the Carew Papers, that of Henry VIII. and that of Charles I., will thus obtain new and important matter of which no trace has been found elsewhere. The Council of this Society has in like manner accepted the volumes offered to us, and Sir John Borough's Notes will be, as we have already remarked, only the first of several publications which we shall owe to the opening of the closet at Crowcombe Court, and to the kind liberality of the owner. So long as such closets remain to be opened, and English gentlemen continue to be of the opinion of Colonel Carew, that the History of our Country ought not to be locked up among any man's private papers, neither the Royal Commission nor the Camden Society will find themselves without occupation.

Dated the 19th April 1869.

Signed, by order of the Council,

JOHN BRUCE, Director.

WILLIAM J. THOMS, Hon. Sec.

REPORT OF THE AUDITORS.

WE, the Auditors appointed to audit the Accounts of the Camden Society, report to the Society, that the Treasurer has exhibited to us an Account of the Receipts and Expenditure from the 1st of April 1868, to the 31st of March 1869, and that we have examined the said accounts, with the vouchers relating thereto, and find the same to be correct and satisfactory.

And we further report that the following is an Abstract of the Receipts and Expenditure during the period we have mentioned.

RECEIPTS.	£	s.	d.		EXPENDITURE.	£	s.	d.
To Balance of last year's account..	320	19	5		Paid for binding 500 copies Vol. 96, Voyage of Sir Kenelm Digby.....	17	0	0
Received on account of Members whose Subscriptions were in arrear at last Audit	39	0	0		Paid Mr. V. Brooks for facsimile of Dingley, Part II. Vol. 97.....	225	12	0
The like on account of Subscriptions due on the 1st of May, 1868....	203	0	0		Paid for binding 500 copies Vol. 97, History from Marble, Vol. II.....	18	0	0
The like on account of Subscriptions due on the 1st of May, 1869....	13	0	0		Paid for printing Introduction and Description of ditto	43	15	6
One year's dividend on £1016 3 1 3 per Cent. Consols, standing in the names of the Trustees of the Society, deducting Income Tax..	29	14	6		Paid for re-binding original MS. of Dingley	7	0	0
To Sale of the Publications of past years	40	13	8		Paid for printing 600 copies Vol. 98, Relations between England and Germany	54	1	6
To Sale of Promptorium Parvulorum (3 vols. in 1)	1	10	0		Paid for binding 600 copies of ditto	18	0	0
To amount received from Westminster Fire Office for Stock damaged and destroyed by Fire, August 4, 1868.....	98	5	0		Paid for Miscellaneous Printing.....	6	0	6
					Paid for delivery and transmission of Books, with paper for wrappers, warehousing expenses, &c. (including Insurance)	28	1	2
					Paid for re-binding books injured by Fire	8	4	0
					Paid for Advertisements	8	2	6
					Paid for Paper	54	17	6
					Paid for Transcripts	32	8	10
					Paid for postages, carriage of parcels, and other petty cash expenses.....	5	4	1
					Paid Mr. H. Gough on account of General Index	100	0	0
					By Balance	119	15	0
	£746	2	7			£746	2	7

And we, the Auditors, further state, that the Treasurer has reported to us, that over and above the present balance of £119 15s. 0d. there are outstanding various subscriptions of Foreign Members, and of Members resident at a distance from London, which the Treasurer sees no reason to doubt will shortly be received.

HEN. HILL.
WM. F. DE LA RUE.

30th April, 1869.

CAMDEN



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THE CAMDEN SOCIETY

is instituted to perpetuate, and render accessible, whatever is valuable, but hitherto little known amongst the materials for the Civil, Ecclesiastical, or Literary History of the United Kingdom, and to accomplish that object by the publication of Historical Documents, Letters, Ancient Poems, and whatever else lies within the compass of its design in the most convenient form, and at the least possible expense consistent with the production of useful volumes.

The subscription to the Society is £1 per annum, which becomes due in advance on the first day of May in every year, and is received by MESSRS. NICHOLS, 25, PARLIAMENT STREET, or by the several Local Secretaries. No Books for the year are allowed until the Subscription has been paid. Members may compound for their future Annual Subscriptions by the payment of £10 over and above the Subscription for the current year. The compositions received have been funded in the Three per Cent Fund, to an amount exceeding £1,000.

All Members are admitted to the Meetings of the Council held on the first Wednesday in every month.

W. J. DIXON, Honorary Secretary.

A List of the Works of the Society, and of the Camden Society's Publications is preparing.



